

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0183 (4303 and 4307 Speedway)

DISTRICT: 9

ADDRESS: 4303 and 4307 Speedway

ZONING FROM: Tract 1: SF-3-HD-NCCD-NP,
Tract 2: MF-3-HD-NCCD-NP

TO: LR-MU-HD-NCCD-NP*

*In addition, the applicant is requesting to amend Part 6 (*Permitted and Conditional Uses*) and Part 9 (*Speedway District*) of the Hyde Park NCCD Ordinance No. 20020131-20 to request to prohibit uses, to add permitted uses and to state that LDC Section 25-2-1067 (G) and (H) of Compatibility Standards shall not apply to the Property if developed with any of the proposed permitted uses. (*Please see Applicant's Rezoning Request Letter – Exhibit C and Applicant's Amended Request Letter – Exhibit D*).

SITE AREA: Tract 1: 0.15 acres
Tract 2: 0.373 acres
0.52 acres

PROPERTY OWNER: 43rd Speedway LLC

AGENT: Drenner Group, PC (Amanda Swor)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

STAFF RECOMMEDATION:

Staff recommends LR-MU-HD-NCCD-NP, Neighborhood Commercial-Mixed Use-Historic Area Combining District-Neighborhood Conservation Combining District-Neighborhood Plan District, zoning.

The staff also recommends amending the Hyde Park NCCD ordinance (Ordinance No. 20020131-20) to:

- 1) Prohibit the following uses: Club or Lodge, Congregate Living, Consumer Convenience Services, Consumer Repair Services, Cultural Services, Day Care Services (Commercial), Day Care Services (General), Day Care Services (Limited), Duplex Residential, Financial Services, Financial Services, Hospital Services-Limited (not to exceed 2500 sq. ft.), Local Utility Services, Medical Offices (not exceeding 5000 sq. ft. of gross floor area), Private Primary Educational Facilities, Private Secondary Educational Facilities, Public Primary Educational Facilities, Public Secondary Educational Facilities, Restaurant (drive-in, fast food), Service Station, Software Development and Two-family Residential on this property within Speedway District in the Hyde Park NCCD; and to**

2) Permit the following additional uses: Administrative and Business Offices, Art Gallery, Art Workshop, Personal improvement services, Multifamily Residential, Personal Services, Professional Office, Single-Family Residential uses on this property within the Speedway District in the Hyde Park NCCD.

PLANNING COMMISSION ACTION / RECOMMENDATION:

April 12, 2022

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES:

The neighbors submitted a petition in opposition to the rezoning request on March 24, 2022. The petition is against any change of the Land Development Code which would zone the property to any classification other than SF-3-HD-NCCD-NP. The petition is currently valid at 54.62% (*Please see Petition – Exhibit F*).

On March 7, 2022, the applicant submitted a letter amending their rezoning request to add prohibited uses and to request additional permitted uses in the NCCD for this property. In addition, the applicant is requesting that Part 9 of the Hyde Park NCCD Ordinance be amended that sections of Compatibility Standards not apply to the Property if developed with any of the proposed permitted uses (*Please see Applicant's Amended Request Letter – Exhibit D*).

HISTORY OF HYDE PARK NCCD:

Hyde Park NCCD Overview. Neighborhood Conservation Combining Districts (NCCDs) are intended to preserve and protect older neighborhoods by modifying regulations such as setbacks, parking, and FAR, based on a neighborhood plan for development and conservation. These modified regulations are incorporated into a customized NCCD zoning ordinance.

The Hyde Park NCCD is divided into six subdistricts-- Residential, Speedway, Duval, West 38111 Street, Guadalupe, and Hyde Park Civic. The six subdistricts primarily establish corridors and hubs for certain land uses and their design standards. In addition to six main districts, several smaller areas are called out, generally identifying development regulations for areas that do not correspond directly to the subdistricts. Finally, specific properties are identified for distinctive site development and land use requirements. For example, 4300 and 4307 Speedway are subject to a variety of customized development standards and regulations related to parking, yards, curb cuts, and land uses. Other specified properties are also identified in the ordinance for special land use considerations.

The Hyde Park NCCD Ordinance was originally adopted on January 31, 2002 (*Please see Ordinance No. 020131-20 – Exhibit E*). At that time, the Hyde Park NCCD did not address FAR limitations for the residential subdistrict and/or residential properties in the NCCD. FAR limits were established for multifamily and commercial properties, but the NCCD zoning ordinance was silent regarding FAR for residential properties. FAR limits for residential properties were not addressed directly by the NCCD until an amendment in 2012.

CASE MANAGER COMMENTS:

The property in question is a 0.522 acre area made up of seven lots that contains a single family house and a surface parking lot. The platted lots to the north and east are developed with single-family residences zoned SF-3-HD-NCCD-NP. There is a fire station (Austin Fire Station No. 9) zoned P-HD-NCCD-NP on the tract to the south. To the west, across Speedway, there is a former U.S. Post Office zoned LR-HD-NCCD-NP and CS-HD-NCCD-NP that is now being redeveloped with office and commercial uses and multifamily complex (Patio on Speedway) zoned MF-3-HD-NCCD-NP.

In this request, the applicant is asking to rezone the site under consideration to LR-MU-HD-NCCD-NP and to amend Part 6 (*Permitted and Conditional Uses*) and Part 9 (*Speedway District*) of the Hyde Park NCCD Ordinance No. 20020131-20 to request to prohibit uses on the property, to add additional permitted uses on the property and to state that LDC Section 25-2-1067 (G) and

(H) of Compatibility Standards shall not apply to the property if developed with any of the proposed permitted uses. The applicant is proposing to rezone these lots and requesting changes to the NCCD regulations to allow for the redevelopment of this property with small commercial cottages to provide low density commercial uses on the site.

The staff recommends the applicant's request for LR-MU-HD-NCCD-NP zoning at this location, with some exceptions. The staff does not support the applicant's request to add Food Sales, Restaurant (General) and General Retail Sales as permitted uses in Part 6 (*Permitted and Conditional Uses*) of the NCCD ordinance for this property or to amend Part 9 (*Speedway District*) to waive portions of Compatibility Standards requirements if the proposed additional permitted uses are developed on the property. This site is adjacent to existing single-family residential uses/zoning to the north and east. The staff does not find that Food Sales, Restaurant and General Retail Sales uses are compatible adjacent to low density residential uses because of noise, odor, waste management and parking issues. In addition, please note that the Law Department has stated that the city cannot prohibit Family Home, Group Homes, Religious Assembly and Guidance Services and Congregate Living uses based on state and federal legislation and previous land use case litigation.

The applicant does not agree with the staff's recommendation.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Neighborhood commercial (LR) district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

Mixed Use combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development.

Historic area combining district is to protect, enhance, and preserve areas that include structures or sites that are of architectural, historical, archaeological, or cultural significance.

Neighborhood Conservation combining district is intended to preserve and protect older neighborhoods by allowing modifications to applicable regulations in accordance with a neighborhood plan for development and conservation. A proposed NCC district shall be sponsored by property owners within such proposed district through the neighborhood organization. Neighborhood plans are intended to enhance the desirability of living in older neighborhoods which were substantially built out at least 30 years before the date of application for the NCC district classification and which have distinctive architectural styles.

Neighborhood Plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

The proposed LR-MU-HD-NCCD-NP zoning will provide for a transition in intensity of zoning and permitted uses from the SF-3-HD-NCCD-NP zoning to the north and east, the P-HD-NCCD-NP zoning to the south and the CS-HD-NCCD-NP zoning and MF-3-HD-NCCD-NP zoning, across Speedway, to the west.

3. *Zoning should allow for reasonable use of the property.*

The staff's recommendation of LR-MU-HD-NCCD-NP zoning will permit the applicant to redevelop this site with a mixture of residential, office, civic and commercial uses that will serve the surrounding community.

4. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

LR-MU-HD-NCCD-NP zoning will allow for low intensity residential and commercial uses that are meant to be located within or adjacent to existing residential areas.

While the property under consideration is not located along an Activity Corridor or near or within an Activity Center, it does front and take access to a Level 2/Collector roadway, Speedway, directly to the north of a civic use that provides necessary services to the surrounding community - City of Austin Fire Station No. 9.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-HD-NCCD-NP, MF-3-HD-NCCD-NP	Single Family Residence, Parking Area
<i>North</i>	SF-3-HD-NCCD-NP	Single Family Residences
<i>East</i>	SF-3-HD-NCCD-NP	Single Family Residences
<i>South</i>	P-HD-NCCD-NP	Austin Fire Station No. 9
<i>West</i>	MF-3-HD-NCCD-NP, LR-HD-NCCD-NP, CS-HD-NCCD-NP	Multifamily (Patio on Speedway), Office (Carty Custom Builders, former Post Office)

AREA STUDY:

Hyde Park Neighborhood Plan

The Hyde Park NCCD was originally adopted on January 31, 2002, through Ordinance No. 020131-20.

TIA: Deferred to the time of Site Plan

WATERSHED: Waller Creek

SCHOOLS: Austin I.S.D.

Lee Elementary School

Kealing Middle School

McCallum High School

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Central Austin Community Development Corporation
 Friends of Austin Neighborhoods
 Friends of Hyde Park
 45th St. Concerned Citizens
 Homeless Neighborhood Association
 Hyde Park Neighborhood Plan Contact Team
 Hyde Park Neighborhood Association
 Neighborhood Empowerment Foundation
 North Austin Neighborhood Alliance
 Preservation Austin
 SELTEXAS
 Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-01-0046.03 (Helping Hand Home for Children: 310, 312 W. 38th Street; 3803, 3805, 3807 Avenue B)	SF-3-NCCD-NP, MF-4-NCCD-NP to MF-4-NCCD-NP	11-13-18: Approved MF-4-NCCD-NP as staff recommended (12-0); P. Seeger-1 st , R. Schneider – 2nd.	12-13-18: Approved on First Reading. Council removed the limit of 10 units per structure (9-0, Mayor Adler and Council Member Renteria were off the dais). 1-31-19: Approved 2 nd /3 rd readings (10-0, J. Flannigan-off the dais).
C14-01-0046.02 (originally filed as C14-2017-0153 - The Baker School: 3908 Avenue B)	UNZ to GR-HD-NCCD-NP	03-13-18: Approved the staff's recommendation of GR-HD-NCCD-NP combining district zoning (Vote: 7-1, C. Kenny-No. T. Nuckols, A. De Hoyos Hart, J. Shieh, J. Thompson and T. Shaw-absent); K. McGraw-1st, Commissioner G. Anderson-2nd.	03-22-18: Approved GR-HD-NCCD-NP combining district zoning, with staff recommendations for the NCCD on 1 st reading (8-1, Council Member Flannigan voted nay, Council Members Pool and Troxclair off the dais). 06-14-18: Approved PC recommendation of GR-HD-NCCD-NP zoning (9-1, J. Flannigan-No, S. Adler-off dais).
C14-2016-0072 (39 th Street Apartments: 405 W 39 th Street)	SF-3 to MF-4	10-11-16: Approved MF-4-NCCD-NP as Staff recommended	11-10-16: Approved MF-4-NCCD-NP as PC rec, on all 3 readings

C14-2021-0183

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C14-2016-0065 (Pioneer Bank on W. 38 th : 623 W. 38 th Street)	GR-CO-NP, to remove CO to remove prohibition of drive- in services	01-24-17: Denied GR-CO-NP	03-02-17: Case withdrawn by Applicant; no action taken
C14-2014-0035 (Adams House Rezoning: 4300 A venue G)	SF-3-HD-NCCD-NP to SF-3-HD-NCCD-NP, to increase the maximum floor-to-area-ratio (FAR)	05-13-14: To grant SF-3-H-HD-NCCD-NP, to change a condition of zoning (7-0, J. Stevens- abstained) (D. Chimenti- 1 st , S. Oliver-2 nd .	05-22-14: The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20140522-071 for SF-3-NCCD-NP combining district zoning, to change a condition of zoning.
C14-2007-0263 (Hyde Park Neighborhood Planning Area Vertical Mixed Use Building Rezoning)	Vertical Mixed Use (VMU)	01-15-08: Approved staff rec. by consent	05-22-08: Approved Ord. 20080522-044 for V (Tracts 1-12)
C14-2007-0263.001 (Hyde Park Neighborhood Planning Area Vertical Mixed Use Building (V) Opt-In/Opt- 4000 Avenue B)	LR-MU-V-NCCD	04-22-08: Approved LR-MU-V-NCCD for Tract 100 (4000 Avenue B), w/ conditions	05-22-08: Approved Ord. 20080522-061 for VMU for Tract 100
C14-2007-0210 (The Kocurek Building: 511 W. 41 st Street)	SF-3 to NO-H-NCCD	02-12-08: Approved staff rec of NO-H- NCCD	06-05-08: Approved Ord. 20080605-062 for NO-H-NCCD
C14H-2007-0018 Plumb House 4100 Avenue D	SF-3 to SF-3H	Never heard by Commission - Postponed indefinitely	N/A
C14H-2007-0019 (John & Lela Gay House: 4108 Avenue D)	SF-3-NCCD to SF-3- H-NCCD	10-23-07: Approved staff rec. of SF-3-H-NCCD	11-29-07: Approved Ord. 20071129-075 for SF-3-H-NCCD
C14H-2007-0024 (Hume-Rowe House: 4002 Avenue C)	SF-3-NCCD to SF-3- H-NCCD	11-13-07: Approved staff rec of SF-3-H-NCCD	12-06-07: Approved Ord. 20071206-081 for SF-3-H-NCCD

SUBDIVISION CASE:

C8-1890-1067 - Subdivision Case

RELATED ZONING CASES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14H-2010-0019 Hyde Park Historic District	Historic District (HD)	10-12-10- Approved staff's rec for HD	12-16-10- Ordinance No. 20101216-093 for historic area combining district zoning approved with the Hyde Park Preservation Plan and Design Standards
C14-01-0046 Hyde Park NCCD	Neighborhood Conservation Combining District	05-22-01- Approved staff rec with conditions	01-31-02- Approved ordinance 020131-20
C14-01-0046.01 Hyde Park NCCD Amendment #1	Modify the NCCD	12-13-11- Approved amendment to the Hyde Park NCCD with a maximum of .4 FAR	01-12-12- Approved Ordinance No. 20120112-086

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Speedway	90'	42'	Level 2	Yes	Bike Lane - Buffered	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

The zoning case is located on the east side of Speedway, in the Hyde Park Neighborhood Planning area. The property contains a single family house and a parking lot, which is situated on a 0.522 acre two lot parcel. Surrounding land uses include a single family house to the north; to the south is a fire station; to the east are single family houses; and to the west is a post office and two story apartment complex. Many of the houses in this area have historic zoning, including the fire house, which looks like a single family house.

The property is not located along an Activity Corridor or near or within an Activity Center.

The proposal according to the agent: Development of small commercial cottages with various LR (Neighborhood Commercial) uses, as permitted under Part 6 (*Permitted and Conditional Uses*) chart within the Hyde Park NCCD Ordinance No. 20020131-20 and to additionally allow art and craft studio (general) and personal improvement services as permitted uses on the Property. The proposed development will comply with compatibility standards as well as the design standards within the Hyde Park NCCD ordinance. The MU designation would allow for residential uses to remain as permitted uses on the Property.

Connectivity

There are public transit stops located approximately 30 feet south of the property and on both sides of the street. There are also unprotected bike lanes and public sidewalks located along both sides of the street. Mobility and connectivity options in the area are above average.

The Hyde Park Neighborhood Plan (HPNP)

The HPNP does not have a Future Land Use Map. The following goals, objectives and text are relevant to this case:

Goal 1: Preserve and enhance the unique historic and residential character of Hyde Park. (p 11)

Objective 1.3. Preserve historic structures and encourage appropriate maintenance and restoration.

Speedway District: (p 13)

Purpose: To preserve the remaining single family homes in an appropriate context by permitting some redevelopment of multi-family projects that may offer a relaxing of some rules in exchange for putting back the traditional elements (primarily of the streetscape) that were lost when the apartments replaced homes.

Additionally, to encourage owners of single family homes to roll back their base zoning to single family, to maintain the civic uses in a scale and use compatible with the predominant residential character and to seek to reduce the amount of surface parking in this district.

Zoning Code Revisions: **Roll back properties to the least intensive zoning district that supports current use or a proposed less intense use.** Offer some incentive for redevelopment as an encouragement for rollbacks. **Maintain traditional civic and commercial uses without encroaching on residential character and value, including the streetscape value.** Modify site development rules to preserve and enhance traditional development patterns. (p. 13)

1. Complete the Neighborhood Conservation Combining District (NCC) ordinance which will revise the zoning laws to foster the preservation of the neighborhood while respecting different the different land uses in different parts of Hyde Park. Elements of this ordinance will include addressing the following: Change uses and structures and build new structures only in ways that are in scale and compatible with surrounding uses and structures. (p. 16)

Based on the goals and text above, it appears that the HPNP does not support rezoning residentially zoned properties to mixed use or commercial along Speedway.

Imagine Austin

The property is not located along an Activity Corridor, or near or within an Activity Center. The following Imagine Austin policies are applicable to this case:

- **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, **corridors** and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.
- **LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

Based upon Imagine Austin policies referenced above that supports a variety of uses; adjoining civic uses on Speedway; above average mobility strengths along Speedway; but the neighborhood plan not supporting mixed use or commercial uses in this area; this project appears only be partially supported by the Imagine Austin Comprehensive Plan

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.>

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 sq. ft. cumulative is exceeded, and on site control for the two-year storm.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Fire

No comments.

Park and Recreation

There are currently no parkland requirements for uses other than residential and hotel. Given that the application is for LR-MU-HD-NCCD-NP, with proposed commercial and personal improvement services, there would not be parkland dedication requirements or parkland impacts at the time of site plan or subdivision.

Site Plan

Any new development is subject to Subchapter E. Design Standards and Mixed-Use. Additional comments will be made when the site plan is submitted.

The subject properties are located within the Hyde Park Conservation Combining District. Please see the City's website <http://www.austintexas.gov/departments/neighborhood-planning> for a copy of the recommended design guidelines.

DEMOLITION AND HISTORIC RESOURCES

The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Transportation

Transportation Assessment:

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

Water Utility

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Applicant's Rezoning Request Letter
- D. Applicant's Amended Request Letter
- E. Hyde Park NCCD Ordinance No. 020131-20
- F. Petition Submittal
- G. Correspondence from Interested Parties

Created: 12/2/2021



N



1" = 100'



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

4303 and 4307 Speedway

ZONING CASE#: C14-2021-0183

LOCATION: 4303 and 4307 Speedway Avenue

SUBJECT AREA: .5224 Acres

GRID: K25

MANAGER: KATE CLARK



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

DRENNER GROUP

November 15, 2021

Ms. Rosie Truelove
Housing and Planning Department
City of Austin
1000 E 11th Street
Austin, TX 78702

Via Electronic Delivery

Re: 4303 and 4307 Speedway – Rezoning application for the approximately 0.52-acre property located at 4303 and 4307 Speedway, in Austin, Travis County, Texas (the “Property”)

Dear Ms. Truelove:

As representatives of the owner of the Property, we respectfully submit the enclosed rezoning application package. The project is titled 4303 and 4307 Speedway and is approximately 0.52 acres of land, on the east side of Speedway between W 43rd Street and W 44th Street. The Property is in the full purpose jurisdiction of the City of Austin.

The Property is currently zoned MF-3-HD-NCCD-NP (Multifamily Residence Medium Density – Historic Combining District – Neighborhood Conservation Combining District – Neighborhood Plan) and SF-3-HD-NCCD-NP (Family Residence – Historic Combining District – Neighborhood Conservation Combining District – Neighborhood Plan). The requested rezoning is from MF-3-HD-NCCD-NP and SF-3-HD-NCCD-NP to LR-MU-HD-NCCD-NP (Neighborhood Commercial – Mixed Use – Historic Combining District – Neighborhood Conservation Combining District – Neighborhood Plan). The Property is currently developed with a single-family use and a surface parking lot.

The purpose of the rezoning is to allow for the development of small commercial cottages with various LR (Neighborhood Commercial) uses, as permitted under Part 6 (*Permitted and Conditional Uses*) chart within the Hyde Park NCCD Ordinance No. 20020131-20 and to additionally allow art and craft studio (general) and personal improvement services as permitted uses on the Property. The proposed development will comply with compatibility standards as well as the design standards within the Hyde Park NCCD ordinance. The MU designation would allow for residential uses to remain as permitted uses on the Property.

Although not a part of this rezoning request, the adjacent post office at 4300 Speedway is being revitalized and is envisioned to incorporate restaurant (General), professional office, and general retail sales (general). The proposed Neighborhood Commercial – Mixed Use (LR-MU-HD-NCCD-NP) zoning would allow a broader range of neighborhood-serving retail, while maintaining Hyde Park’s existing height, scale and character in the design of the proposed project.

The Property is within the Hyde Park Neighborhood Planning Area, adopted April 13, 2000. The Hyde Park Neighborhood Plan was adopted without a future land use map, and attached is a memo from Maureen Meredith dated November 1, 2021, confirming that a plan amendment application is not required.

November 15, 2021

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The Traffic Impact Analysis ("TIA") has been waived until site plan, per the attached TIA determination waiver dated November 1, 2021, and executed by Justin Good.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very Truly Yours,



Amanda Swor

cc: Jerry Rusthoven, Housing and Planning Department (*via electronic delivery*)
Joi Harden, Housing and Planning Department (*via electronic delivery*)
Kate Clark, Housing and Planning Department (*via electronic delivery*)

4303 and 4307 Speedway | Existing and Proposed Uses

Currently, the Property is respectively zoned Single-Family Residence – Historic Area Combining District – Neighborhood Conservation Combining District – Neighborhood Plan (SF-3–HD–NCCD–NP) and Multifamily Residence – Medium Density – Historic Area Combining District - Neighborhood Conservation Combining District – Neighborhood Plan (MF-3–HD–NCCD–NP).

The Hyde Park NCCD ordinance limits the permitted and conditional uses for the LR zoning district in Part 6 of Ordinance No. 20020131-20. Our request is to allow all permitted and conditional uses for LR in Column B of Part 6.1 and additionally allow art and craft studio (general) and personal improvement services as permitted uses on the Property.

The chart below compares allowable uses today with those allowable under LR zoning.

Uses	Hyde Park Ordinance LR Uses		LDC §25-2 LR Uses	
	Permitted	Conditional	Permitted	Conditional
Administrative and Business Office	X		X	
Alternative Financial Services				X
Art and Craft Studio (limited)	X			
Art Gallery			X	
Art Workshop			X	
Bed and Breakfast (Group 2)			X	
Bed and Breakfast (Group 1)			X	
Club or Lodge		X		X
College and University Facilities			X	
Communication Service Facilities			X	
Community Events				
Community Garden			X	
Community Recreation (private)				X
Community Recreation (public)				X
Congregate Living		X		X
Consumer Convenience Services	X		X	
Consumer Repair Services	X		X	
Counseling Services			X	
Cultural Services	X		X	
Custom Manufacturing				X
Day Care Services (commercial)	X		X	

4303 and 4307 Speedway | Existing and Proposed Uses

Day Care Services (general)	X		X	
Day Care Services (limited)	X		X	
Duplex Residential	X			
Family Home	X		X	
Financial Services	X		X	
Financial Services	X		X	
Food Sales	X		X	
General Retail Sales (convenience)	X		X	
General Retail Sales (general)			X ($< 5,000$ sf of gross floor space)	
Group Home Class I (general)	X		X	
Group Home Class I (limited)	X		X	
Group Home Class II	X			X
Guidance Services	X		X	
Hospital Services (limited)				X
Hospital limited (not to exceed 2500 sf)		X		
Local Utility Services		X	X	
Medical Offices (exceeding 5000 sf GFA)				X
Medical Offices (not exceeding 5000 sf GFA)	X		X	
Off-site Accessory Parking		X	X	
Pedicab Storage and Dispatch			X	
Personal Improvement Services			X	
Personal Services	X		X	
Pet Services			X	
Plant Nursery				X
Printing and Publishing			X	
Private Primary Educational Facilities	X		X	
Private Secondary Educational Facilities	X		X	
Professional Office	X		X	
Public Primary Educational Facilities	X		X	
Public Secondary Educational Facilities	X		X	
Religious Assembly	X		X	
Residential Treatment				X

4303 and 4307 Speedway | Existing and Proposed Uses

Restaurant (drive-in, fast food)		X		
Restaurant (general)	X		X	
Restaurant (limited)	X		X	
Safety Services			X	
Service Station		X	X	
Single-Family Residential	X			
Software Development	X		X	
Special Use Historic				X
Telecommunication Tower			PC	
Two-family Residential	X			
Urban Farm			X	





DRENNER GROUP

March 7, 2022

Ms. Rosie Truelove
Housing and Planning Department
City of Austin
1000 E 11th Street
Austin, TX 78702

Via Electronic Delivery

Re: 4303 and 4307 Speedway – Rezoning application for the approximately 0.52-acre property located at 4303 and 4307 Speedway, in Austin, Travis County, Texas (the “Property”)

Dear Ms. Truelove:

As representatives of the owner of the Property, we respectfully submit this letter to amend the application currently under review and assigned case number C14-2021-0183, submitted December 1, 2021.

With this amendment, we request that the proposed rezoning related to the Property include the condition to prohibit the following uses in Part 6 of Ordinance No. 20020131-20 (the “Hyde Park NCCD Ordinance”) that would be permitted or conditional uses on a site with a Neighborhood Commercial (LR) base district:

- Club or Lodge
- Congregate Living
- Consumer Convenience Services
- Consumer Repair Services
- Cultural Services
- Day Care Services (commercial)
- Day Care Services (general)
- Day Care Services (limited)
- Duplex Residential
- Family Home
- Financial Services
- Financial Services
- Group Home Class I (general)
- Group Home Class I (limited)
- Group Home Class II
- Guidance Services
- Hospital limited (not to exceed 2500 sf)
- Local Utility Services
- Medical Offices (not exceeding 5000 sf GFA)
- Private Primary Educational Facilities
- Private Secondary Educational Facilities
- Public Primary Educational Facilities
- Public Secondary Educational Facilities
- Religious Assembly
- Restaurant (drive-in, fast food)
- Service Station
- Software Development
- Two-family Residential

Amanda Swor
aswor@drennergroupp.com
512-807-2904



This amendment shall permit the following uses on the Property:

- Administrative and business offices
- Art gallery
- Art workshop
- Food Sales
- General retail sales
- Multifamily residential
- Personal improvement services
- Personal services
- Professional office
- Restaurant
- Single-family residential

Additionally, we request that Part 9 of the Hyde Park NCCD Ordinance be amended that § 25-2-1067 (G) and (H) of Compatibility Standards shall not apply to the Property if developed with any of the above permitted uses. The parking area and driveway will continue to provide safe and sufficient parking, sensitive to the neighborhood design and character and continue to serve as a buffer between the adjacent SF-3-HD-NCCD-NP zoning and commercial structures on the Property.

Except for the above-mentioned modifications, the Property shall comply with all other compatibility standards, § 25-2-1066 Screening Requirements and with Schedule A Parking Requirements of the City code. Per Hyde Park NCCD Ordinance, off-site accessory parking shall continue to be allowable on this Property.

Please let me know if you or your team members require additional information or have any questions. No other changes to the Hyde Park NCCD are proposed at this time. Thank you for your time and attention to this project.

Very Truly Yours,

Amanda Swor

cc: Jerry Rusthoven, Housing and Planning Department (*via electronic delivery*)
Joi Harden, Housing and Planning Department (*via electronic delivery*)
Sherri Sirwaitis, Housing and Planning Department (*via electronic delivery*)

ORDINANCE NO. 020131-20

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 25-2 OF THE CITY CODE TO ESTABLISH THE HYDE PARK NEIGHBORHOOD CONSERVATION COMBINING DISTRICT (NCCD) FOR THE PROPERTY WHOSE BOUNDARIES ARE 45TH STREET TO THE NORTH, 38TH STREET TO THE SOUTH, GUADALUPE STREET TO THE WEST AND DUVAL STREET TO THE EAST, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND TO MODIFY CERTAIN BASE DISTRICTS IN THE NCCD; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to establish the Hyde Park neighborhood conservation combining district (NCCD) and to add a NCCD to each base zoning district within the property bounded by 45th Street to the north, 38th Street to the south, Guadalupe Street to the west, and Duval Street to the east, described in File C14-01-0046 and as more particularly identified in the map attached as Exhibit "A," SAVE AND EXCEPT Lots 5 through 16 of Block 12 of the Hyde Park Addition No. 1, and to change the base zoning districts on 13 tracts of land within the NCCD.

PART 2. The base zoning of the 13 tracts shown in the chart below are changed from family residence (SF-3) district, multifamily residence medium density (MF-3) district, multifamily residence moderate- high density (MF-4) district, multifamily residence moderate-high density-historic (MF-4-H) combining district, limited office-historic (LO-H) combining district, and general commercial services (CS) district, to multifamily residence limited density neighborhood conservation (MF-1-NCCD) combining district, multifamily residence low density neighborhood conservation (MF-2-NCCD) combining district, family residence neighborhood conservation (SF-3-NCCD) combining district, family residence-historic-neighborhood conservation (SF-3-H-NCCD) combining district, limited office-historic-neighborhood conservation (LO-H-NCCD) combining district, neighborhood commercial neighborhood conservation (LR-NCCD) combining district, and multifamily residence medium density neighborhood conservation (MF-3-NCCD) combining district.

MAP TRACT #	PROPERTY ADDRESS	FROM	TO
2	4309 Avenue D	MF-4	SF-3-NCCD
2	4307 Avenue D	MF-4	SF-3-NCCD
2	4311 Avenue D	MF-4	SF-3-NCCD
3	4416 Speedway	MF-3	SF-3-NCCD
3	4414 Speedway	MF-3	SF-3-NCCD
3	4412 Speedway	MF-3	SF-3-NCCD
3	4410 Speedway	MF-3	SF-3-NCCD
3	4408 Speedway	MF-3	SF-3-NCCD
3	4406 Speedway	MF-3	SF-3-NCCD
3	4404 Speedway	MF-3	SF-3-NCCD
3	4402 Speedway	MF-3	SF-3-NCCD
3	4400 Speedway	MF-3	SF-3-NCCD
4	4313 Speedway	MF-3	SF-3-NCCD
4	4311 Speedway	MF-3	SF-3-NCCD
4	4309 Speedway	MF-3	SF-3-NCCD
6	4408 Duval Street	MF-4	SF-3-NCCD
6	4406 Duval Street	MF-4	SF-3-NCCD
6	4404 Duval Street	MF-4	SF-3-NCCD
6	4402 Duval Street	MF-4	SF-3-NCCD
6	4400 Duval Street	MF-4	SF-3-NCCD
6	4316 Duval Street	MF-4	SF-3-NCCD
6	4314 Duval Street	MF-4	SF-3-NCCD
6	4308 Duval Street	MF-4	SF-3-NCCD
6	4306 Duval Street	MF-4	SF-3-NCCD
6	4302 Duval Street	MF-4	SF-3-NCCD
6	4204 Duval Street	MF-4	SF-3-NCCD
6	4202 Duval Street	MF-4	SF-3-NCCD
6	4106 Duval Street	MF-4	SF-3-NCCD
6	4104 Duval Street	MF-4	SF-3-NCCD
6	4100 Duval Street	MF-4	SF-3-NCCD
6	4016 Duval Street	MF-4	SF-3-NCCD
6	4012 Duval Street	MF-4	SF-3-NCCD
6	4014 Duval Street	MF-4	SF-3-NCCD
6	4008 Duval Street	MF-4	SF-3-NCCD
6	4006 Duval Street	MF-4	SF-3-NCCD
6	4004 Duval Street	MF-4	SF-3-NCCD
6	4200 Duval Street	MF-4	SF-3-NCCD

MAP TRACT #	PROPERTY ADDRESS	FROM	TO
7	4112 Duval Street	MF-4	MF-2-NCCD
8	4214 Speedway	MF-4	SF-3-NCCD
8	4210 Speedway	MF-4	SF-3-NCCD
8	4213 Speedway	MF-4	SF-3-NCCD
8	4203 Speedway	MF-4	SF-3-NCCD
8	4112 Speedway	MF-4-H	SF-3-H-NCCD
8	4201 Speedway	MF-4	SF-3-NCCD
8	4110 Speedway	MF-4-H	SF-3-H-NCCD
8	4115 Speedway	MF-4	SF-3-NCCD
8	4113 Speedway	MF-4	SF-3-NCCD
8	4108 Speedway	MF-4-H	SF-3-H-NCCD
8	4104 Speedway	MF-4	SF-3-NCCD
8	4109 Speedway	MF-4	SF-3-NCCD
8	4107 Speedway	MF-4	SF-3-NCCD
8	4100 Speedway	MF-4	SF-3-NCCD
8	4101 Speedway	MF-4	SF-3-NCCD
9	4006 Speedway	LO-H	LO-H-NCCD
10	4007 Speedway	MF-4	SF-3-NCCD
10	4009 Speedway	MF-4	SF-3-NCCD
11	3913 Avenue C (2 parcels)	MF-4-H	SF-3-H-NCCD
12	3900 Avenue C (2 parcels)	MF-4-H	SF-3-H-NCCD
13	4002 Avenue B	CS	SF-3-NCCD
14	408 W 40th Street	CS	LR-MU-NCCD
14	406 W 40 th Street	CS	LR-MU-NCCD
14	4000 Avenue B	CS	LR-MU-NCCD
15	3815 Guadalupe Street	CS	CS-NCCD for first 120' from the r.o.w.; MF-3-NCCD for remainder

PART 3. DEFINITIONS. In this ordinance:

ACCESSORY BUILDING means a building in which an accessory use is located that is detached from and located on the same site as a building in which a principal use is located.

AVENUE means a street running in a north-south direction and designated as an avenue.

CIRCULAR DRIVEWAYS means a cul-de-sac type driveway with one access point or a half-circular driveway with two access points.

COMMERCIAL DISTRICT means the districts within the hierarchy of zoning districts from neighborhood office (NO) district through commercial-liquor sales (CS-1) district.

DISTRICT means the Residential District, Speedway District, West 38th District, Guadalupe District, Duval District, or the Hyde Park Civic District.

DRIVEWAY RUNNERS means a pair of pavement strips acting as a driveway.

FULL BATHROOM means a bathroom with a toilet, sink, and a bathtub or shower or shower/bathtub combination.

REDEVELOPMENT means development in which the value of the improvements is 50 percent of the value of all existing improvements on the site or development that requires a site plan.

TANDEM PARKING means one car behind another so that one car must be moved before the other can be accessed.

PART 4. The Hyde Park NCCD is divided into the following districts which are more particularly identified on the map attached as Exhibit B.

1. The Residential District - includes all property not included in another district.
2. **The Speedway District** - generally located one-half block on each side of Speedway Street from 38th Street to 45th Street.
3. The Duval District – generally located one-half block west of Duval Street from 40th Street to 45th Street.
4. The West 38th Street District - generally located one block between West 38th Street and West 38th ½ Street from one lot back from Speedway to one lot back from Guadalupe Street.

5. The Guadalupe District – generally located from Guadalupe Street to one-half block east of Guadalupe Street from 38th Street to 45th Street.
6. The Hyde Park Civic District - generally located in the area of Speedway and 40th Street.

PART 5. Development in the Hyde Park Civic District is subject to Ordinance No. 900830-Q. The regulations in Part 6 (Permitted and Conditional Uses), Part 7 (General Provisions), Part 8 (Residential District) and **Part 9 (Speedway District)** of this ordinance apply to development in the Hyde Park Civic District if they do not conflict with Ordinance No. 900830-Q, as amended. If a use regulation or site development standard is not addressed by Ordinance No. 900830-Q or this ordinance, then the base zoning district regulations as they existed on August 30, 1990 apply.

PART 6. Permitted and Conditional Uses.

1. The following table establishes the permitted and conditional uses for property in commercial zoning districts in the Hyde Park NCCD. Use regulations in this section may be modified in Section 2 of this part.

Column (A) applies to property with commercial zoning in the Residential, **Speedway**, Duval, West 38th, and Hyde Park Civic Districts that are not included in Column (B) or Column (C).

Column (B) applies to property at the following locations: 408 E. 43rd Street; the Duval Shopping Center which includes 411, 413, 417, and 419 E.43rd Street and 4220, 4222, 4224 and 4230 Duval Street; and 4206 Duval Street.

Column (C) applies to property located at 4300 Speedway.

USES:	Column A					Column B			Column C
	A					B			C
	CS	GR	GO	LO	NO	CS	GR	LR	CS
Administrative and business offices	P	P	P	P	P	P	P	P	P
Art and craft studio (limited)	P	P	P	P	--	P	P	P	P

USES:	Column					Column			Column
	A					B			C
	CS	GR	GO	LO	NO	CS	GR	LR	CS
Art and craft studio (general)	P	--	--	--	--	P	--	--	P
Commercial off-street parking	C	C	--	--	--	C	C	--	C
Condominium Residential	--	--	--	--	--	--	--	--	P
Congregate living	C	C	C	C	C	C	C	C	C
Consumer convenience services	C	C	--	--	--	P	P	P	P
Consumer repair services	C	C	--	--	--	P	P	P	P
Cultural services	P	P	P	P	--	P	P	P	P
Custom manufacturing	--	--	--	--	--	C	--	--	--
Club or lodge	C	C	C	C	--	C	C	C	C
Day care services (limited)	P	P	P	P	P	P	P	P	P
Day care services (general)	P	P	P	P	P	P	P	P	P
Day care services (commercial)	P	P	P	P	P	P	P	P	P
Duplex residential	P	P	P	P	P	P	P	P	P
Family home	P	P	P	P	P	P	P	P	P
Financial services	C	C	--	--	--	P	P	P	P
Food sales	C	C	--	--	--	P	P	P	P
General retail sales (convenience)	C	C	--	--	--	P	P	P	P
General retail sales (general)	C	C	--	--	--	P	P	--	--
Group home class I (limited)	P	P	P	P	P	P	P	P	P
Group home class I (general)	P	P	P	P	P	P	P	P	P
Group home class II	P	P	P	C	C	P	P	P	P
Guidance services	P	P	P	--	--	P	P	P	P
Hospital (limited) not to exceed 2500 s.f.	P	P	P	C	--	P	P	C	P
Indoor entertainment	C	C	--	--	--	C	C	--	--
Laundry services	--	--	--	--	--	C	--	--	--
Local utility services	--	--	--	--	--	C	C	C	--
Medical offices (not over 5000 s.f.)	P	P	P	P	--	P	P	P	P

USES:	Column A					Column B			Column C
	CS	GR	GO	LO	NO	CS	GR	LR	CS
Medical offices (over 5000 s.f.)	--	--	--	--	--	--	--	--	P
Multifamily residential	--	--	--	--	--	--	--	--	P
Off-site accessory parking	C	C	C	--	--	C	C	C	C
Personal improvement services	P	P	--	--	--	P	P	--	P
Personal services	P	P	P	--	--	P	P	P	P
Private primary educational facilities	P	P	P	P	P	P	P	P	P
Private secondary educational facilities	P	P	P	P	P	P	P	P	P
Public primary educational facilities	P	P	P	P	P	P	P	P	P
Public secondary educational facilities	P	P	P	P	P	P	P	P	P
Professional office	P	P	P	P	P	P	P	P	P
Religious assembly	P	P	P	P	P	P	P	P	P
Restaurant (drive-in, fast food)	--	--	--	--	--	C	C	C	--
Restaurant (limited)	--	--	--	--	--	P	P	P	P
Restaurant (general)	--	--	--	--	--	P	P	P	P
Service Station	--	--	--	--	--	C	C	C	--
Single-family residential	P	P	P	P	P	P	P	P	P
Software development	C	C	C	C	C	P	P	P	P
Theater	C	C	--	--	--	P	P	--	C
Two-family residential	P	P	P	P	P	P	P	P	P
Veterinary services (not to exceed 2500 s.f.)	P	--	--	--	--	P	--	--	P

2. The section applies to the uses established in Section 1 of this part.

- a. The maximum size of a day care services (commercial) use permitted under Column A is 5000 square feet, under Column B is 2500 square feet, and under Column C is 5000 square feet.

- b. A financial service use or food sales use permitted under Column B and Column C may not include a drive-in service.
 - c. A medical office (over 5000 square feet) permitted under Column C may not exceed 8000 square feet plus 50 percent of the gross floor area of a building over 8000 square feet.
 - d. A multifamily residential use, condominium residential use, or any combination of multifamily and condominium residential uses permitted under Column C may not exceed 75 percent of the gross floor area of all buildings constructed on a site.
 - e. The maximum size of a private primary educational facilities use permitted under Column A is 5000 square feet, under Column B is 2500, and under Column C is 2500 square feet.
 - f. The maximum size of a private secondary educational facilities use permitted under Column A is 5000 square feet, under Column B is 2500 square feet, and under Column C is 5000 square feet.
 - g. The maximum size of a restaurant (limited) and restaurant (general) use permitted under Column C is 3500 square feet.
 - h. The maximum size of a theater use established under Column A and Column B is 5000 square feet.
3. On property located at 4307 Speedway, the permitted uses are those permitted in a multifamily residence medium density (MF-3) district and off-site accessory parking.
4. The following uses are permitted on property located in the Guadalupe District.
- a. Permitted uses.

Administrative and business offices
 Art and craft studio (general)
 Automotive rentals
 Business or trade school
 Business support services
 Communication service facilities

Agricultural sales and services
 Art and craft studio (limited)
 Automotive washing (of any type)
 Veterinary services
 College and university facilities
 Communications services

Community recreation (public)
 Congregate living
 Consumer repair services
 Cultural services
 Day care services (commercial)
 Day care services (limited)
 Exterminating services
 Family home
 Food sales
 General retail sales (convenience)
 Group home class I (general)
 Group home class II
 Hospital services (limited)
 Indoor entertainment
 Local utility services
 Monument retail sales
 Outdoor sports and recreation
 Personal improvement services
 Pet services
 Private secondary educational facilities
 Public secondary educational facilities
 Religious assembly
 Residential treatment
 Restaurant (general)
 Plant nursery
 Theater (not to exceed 5000 s.f.)
 Duplex residential

Community recreation (private)
 Consumer convenience services
 Counseling services
 Custom manufacturing
 Day care services (general)
 Electronic prototype assembly
 (not to exceed 7500 s.f.)
 Financial services
 Funeral services
 General retail sales (general)
 Group home class I (limited)
 Guidance services
 Hotel-motel
 Indoor sports and recreation
 Medical offices
 Multifamily residential
 Pawn shop services
 Personal services
 Private primary educational facilities
 Public primary educational facilities
 Professional office
 Research services
 Restaurant (limited)
 Safety services
 Software development
 Single-family residential
 Two-family residential

- b. An automotive repair services use is a permitted use on property north of 4001 Guadalupe Street. The maximum lot size for the use is 9500 square feet.
- c. A limited warehousing and distribution use is a permitted use on property south of 40th Street. The use may not exceed 7500 square feet.
- d. A telecommunications tower use is a permitted or conditional use as determined by Section 25-2-839 of the City Code.
- e. A residential use may not be located in the front 70 percent of the ground floor of a building.

5. The following uses are conditional uses on property in the Guadalupe District.

a. Conditional uses.

Building maintenance services
Commercial off-street parking
Convenience storage
Equipment repair services
Laundry services
Hospital services (general)
Off-site accessory parking

Commercial blood plasma center
Construction sales and services
Drop-off recycling collection facility
Equipment sales
Service station
Club or lodge

b. Except as otherwise provided in this subsection, a restaurant (drive-in, fast food) use is a conditional use. A drive-in service is prohibited on property located between 40th and 43rd Streets.

PART 7. GENERAL PROVISIONS. Except as otherwise provided in Part 5 of this ordinance or in this part, the following provisions apply to all property within the NCCD.

1. Except as otherwise provided, a building shall front on a north-south street. A building located on a lot that only has frontage on a numbered street may front on the numbered street. A building on a through lot located west of Speedway on West 38th Street or West 39th Street shall front on West 38th Street or West 39th Street. The street on which a building fronts under this section is the front of the property on which the building is located for purposes of this ordinance.
2. This section applies to a property that is redeveloped for multifamily, commercial or civic use.
 - a. A site for a dumpster shall be provided on the property. The dumpster shall be screened from the view of adjacent property.
 - b. Except as otherwise provided in this subsection, each parking space shall be independently accessible. For a multifamily use, tandem parking is permitted if the spaces are assigned to one dwelling unit.
3. Except as otherwise provided in this section, the maximum gross floor area of the rear dwelling unit of a two-family residential use is 850 square feet. On a corner lot, the

rear dwelling unit may exceed 850 square feet if the following conditions and other applicable site development regulations are satisfied:

- a. living space is provided on the ground floor;
 - b. one unit has frontage on an north-south street; and
 - c. one unit has frontage on a numbered street.
4. Accessory buildings may not exceed 10 percent of the site area.
 5. A fence located in a front yard may not exceed a height of four feet and shall have a ratio of open space to solid material of not less than 1 to 1.5.
 6. This section applies to a fence located in a street side yard that faces an avenue and is greater than four feet in height. The portion of a fence that is greater than four feet shall have a ratio of open space to solid material of not less than 1 to 1.5.
 7. A fence located along an alley shall have an inset to accommodate a trash receptacle. The inset shall be a minimum 18 square feet.
 8. A driveway that provides four or fewer required parking spaces may be designed with gravel surfacing or using driveway runners. Design and construction must be approved by the Director of the Watershed Protection and Development Review Department. A driveway apron shall comply with City of Austin specifications.
 9. A required or excess parking space may not be located in a street yard. This provision does not apply to property in the West 38th Street District or to property located at 4300 or 4307 Speedway if provisions for those areas permit parking in the street yard.
 10. Except as otherwise provided in this section, the entrance of a building in which a principal use is located shall be located on the front of a building.
 11. If a parking facility is located on the ground floor of a building, pedestrian-oriented uses must be located at the front of the building.
 12. Except for a single-family, duplex, or two-family residential use, excess parking is prohibited. This section does not apply to property located at 4300 or 4307 Speedway if excess parking is permitted by the provisions applicable to the property.

13. This section applies to a multifamily use.
 - a. A maximum of one sign is permitted on a building.
 - b. The size of a sign may not exceed one foot in height and eight feet in length.
 - c. Internal lighting of a sign is prohibited except for the internal lighting of individual letters.
 - d. Free-standing signs are prohibited.
14. Alley access is permitted if the access complies with applicable City regulations.
15. Except in the Guadalupe District, this section applies to construction of a single-family, duplex or two-family residential use on property that is located in a townhouse and condominium residence (SF-6) district or less restrictive zoning district. Except as otherwise provided in this section, construction must comply with the regulations for the family residence (SF-3) district. Construction may comply with the regulations of the district in which the use is located if construction complies with the compatibility standards of the City Code.
16. Except as otherwise provided in this section, parking is permitted in a street yard on West 38th ½ Street. Parking may not be closer than ten feet to a property line.
17. Except as otherwise provided in this section, the following provisions apply in all Districts except the Guadalupe District.
 - a. A circular driveway is not permitted.
 - b. Except as otherwise provided in the section, access to a site is limited to one curb cut. Except in the Residential District, a site that has 100 feet of frontage or more may have two curb cuts. In the Residential District, a site may have two curb cuts if the site has 100 feet of frontage or more and has two dwelling units. Property located at 4300 Speedway may have 3 curb cuts.
 - c. The width of a driveway:

1. for a residential use, may not exceed 12 feet from the driveway apron to the building setback line and 24 feet from the building setback line to a parking area;
 2. for a commercial, civic, multifamily residential, or condominium residential use, may not exceed 25 feet.
- d. For an existing single-family, duplex, or two-family residential use:
1. compliance with current City parking regulations is required if:
 - a. 200 square feet or more are added to a building floor area;
 - b. the principal use changes; or
 - c. a full bathroom is added to a dwelling unit that has three or more bathrooms; and
 2. a person may not reduce the parking spaces to a number less than the number of spaces prescribed in the City Code.
- e. For property located at 4300 Speedway:
1. the minimum parking requirement is 70 percent of the minimum requirement established by the City Code;
 2. the maximum parking allowed is 100 percent of the minimum requirement established by the City Code;
 3. parking in excess of the maximum allowed is not permitted, provided that excess parking that exists on the effective date of this ordinance may continue as long as not more than 5000 square feet of gross floor area is added to the property; and
 4. off-site parking at 4307 Speedway does not count against the maximum parking allowed at 4300 Speedway.
- f. The design and location of parking facilities located at 4300 and 4307 Speedway is permitted as shown on the survey of the property conducted by Roy D. Smith

Surveyors and dated August 26, 1993, attached to this ordinance as Exhibit "C" and on file with the Director of Neighborhood Planning and Zoning Department in File C14-01-0046.

g. The following provision applies to parking required under Subsection d.

1. Tandem parking:

- a. for a single-family or duplex residential use, is permitted; and
- b. for a multi-family use, is permitted if both spaces are assigned to the same unit.

2. Two parking spaces per dwelling unit are required in the Residential District and the West 38th Street District.

h. This subsection applies to property located at 4307 Speedway. Parking is permitted in a street yard for any use if an off-site accessory parking use exists on any part of the property.

PART 8. RESIDENTIAL DISTRICT. The following site development regulations apply in the Residential District.

1. Site Development Standards Table. Except as otherwise modified in this part, the following site development regulations apply in the Residential District.

RESIDENTIAL DISTRICT			
	Site Development Standards		
	Single-family Zoning Districts	Multifamily Zoning Districts	Commercial Zoning Districts
Minimum lot size	5750	8000	5750
Minimum lot width	50	50	50
Maximum FAR		0.5 to 1	0.5 to 1

Maximum building coverage	40%	50%	50%
Maximum impervious cover	45%	60%	70%
Maximum height	30	30	30
Minimum interior side yard setback	5	5	5
Minimum rear setback	10	10	10

2. Except as otherwise provided in this part, on an avenue, Duval Street, and the south side of West 39th Street:
 - a. the minimum street yard setback is 25 feet; and
 - b. the maximum street yard setback is 30 feet.
3. This section applies to a street other than a street identified in Section 2 of this part. Except as otherwise provided in this part, the minimum street yard setback is 15 feet.
4. This section applies to the minimum street yard setback established in Subsection 2.a. of this part.
 - a. The minimum street yard setback may equal the average of the street yard setbacks of the principal buildings on the same side of the block that are 25 feet or less from the street property line. If more than one principal building is located on a property, then the setback of the building closest to the street property line is used in the calculation.
 - b. Notwithstanding any provision in this section, a setback may not be less than five feet.
5. This subsection applies to the street yard setback established in Section 3 of this part.

- a. The street yard setback of the subject property may equal the average of the street yard setbacks of the buildings on adjoining lots if the setbacks are 15 feet or less. In this section, a building across an alley is a building on an adjoining lot. The street yard setback may be established by a principal building or an accessory building that contains a living unit on the ground floor that fronts on the street.
 - b. Notwithstanding any provision in this section, a setback may not be less than five feet.
6. For a building façade that is longer than 50 feet, the façade may not extend horizontally in an unbroken line for more than 30 feet.
7. A two-family residential use is permitted in the Residential District on a lot that is 7000 square feet or larger.
8. Except as provided in Section 9 of this part, a porch may extend:
 - a. on an avenue, a maximum of eight feet in front of the street yard setback; and
 - b. on a street other than an avenue, a maximum of five feet in front of a street yard setback.
9. A porch must be at least five feet from a property line that faces a street.
10. Except as otherwise provided in Sections 13 and 14 in this part, for an accessory building the minimum setback from:
 - a. a property line facing an avenue, Duval Street, or the south side of West 39th Street is 60 feet;
 - b. a property line facing a street other than a street identified in Subsection a. of this section is 15 feet; and
 - c. an interior side property line is five feet.
11. Except as otherwise provided in Section 12, 13, and 14 of this part, the minimum setback from a rear property line for an accessory building that is not more than 30 feet in height, is five feet.

12. Section 11 of this part does not apply to a through lot.
13. An attached or detached garage that has vehicular access on an alley or street shall be set back at least 20 feet from the alley or street.
14. A non-complying accessory building may be reconstructed at its existing location, but may not be less than three feet from the rear and interior and street side property lines.
15. An attached garage shall be a minimum of 60 feet from the property line facing an avenue, Duval Street, or the south side of West 39th Street.
16. This section applies to a duplex or two-family residential use if there are at least five bathrooms in all buildings in which the use is located. An additional parking space is required for each new full bathroom constructed on the property.
17. Driveway runners or gravel driveways are permitted. The design and construction must be approved by the Director of the Watershed Protection and Development Review Department.

PART 9. SPEEDWAY DISTRICT. The following provisions apply in the Speedway District.

1. Site Development Standards Table. Except as otherwise modified in this part, the following site development regulations apply in the Speedway District.

SPEEDWAY DISTRICT		
	SITE DEVELOPMENT STANDARDS	
	SF-3 Zoning District	Multifamily & Commercial Zoning Districts
Minimum lot size	5750	8000
Minimum lot width	50	50
Maximum FAR	--	0.5 to 1
Maximum building coverage	40%	50%

Maximum impervious cover	50%	70% MF 80% commercial
Maximum height	30	30
Minimum interior side yard Setback	5	5
Minimum rear setback	10	10

2. Except as otherwise provided in this part, on Speedway:
 - a. the minimum street yard setback is 25 feet; and
 - b. the maximum street yard setback is 30 feet.
3. This section applies to a street other than Speedway. Except as otherwise provided in this part, the minimum street yard setback is 15 feet.
4. This section applies to the minimum street yard setback established in Subsection 2.a. of this part.
 - a. The minimum street yard setback may equal the average of the street yard setbacks of the principal buildings on the same side of the block that are 25 feet or less from the street property line. If more than one principal building is located on a property, then the setback of the building closest to the street property line is used in the calculation.
 - b. Notwithstanding any provision in this section, a setback may not be less than five feet.
5. This subsection applies to the street yard setback established in Section 3 of this part.
 - a. The street yard setback of the subject property may equal the average of the street yard setbacks of the buildings on adjoining lots if the setbacks are 15 feet or less. In this section, a building across an alley is a building on an adjoining lot. The street yard setback may be established by a principal building or an accessory building that contains a living unit on the ground floor that fronts on the street.

- b. Notwithstanding any provision in this section, a setback may not be less than five feet.
6. The following site development regulations apply to property located at 4300 Speedway.
- a. The maximum floor-to-area ratio is 0.75 to 1.
 - b. Except as otherwise provided in this subsection, the maximum height is 30 feet. A building may have a height of 36 feet if the building has a pitched roof, measured to the average height of the highest gable.
 - c. There is not a maximum street yard setback on Speedway. There is not a street yard setback on West 43rd Street. There is not an interior side yard or rear yard setback.
 - d. The maximum impervious cover is 80 percent.
 - e. The maximum building coverage is 55 percent.
 - f. Chapter 25-2, Subchapter C, Article 10 (*Compatibility Standards*) of the City Code does not apply to the modification of the structure that exists at 4300 Speedway on the effective date of this ordinance if:
 - 1. 5000 square feet of gross floor area or less is added to the structure; and
 - 2. the modifications are permitted for noncomplying structures under Section 25-2-963 (*Modifications and Maintenance of Noncomplying Structures*) of the City Code.
7. There is not a minimum or maximum street yard setback on Speedway for an off-site accessory parking use on property located at 4307 Speedway.
8. A duplex or two-family residential use is permitted on a lot that is 6000 square feet or larger.
9. Except as provided in Section 10 of this part, a porch may extend:
- a. on Speedway, a maximum of ten feet in front of the street [~~front~~] yard setback; and

- b. on a street other than Speedway, a maximum of five feet in front of the street yard setback.
10. A porch must be at least five feet from a property line that faces a street.
 11. Except as otherwise provided in Sections 14 and 15 in this part, for an accessory building, the minimum setback from:
 - a. a property line facing Speedway is 60 feet;
 - b. a property line facing a street other than Speedway is 15 feet; and
 - c. an interior side property line is five feet.
 12. Except as otherwise provided in Section 13, 14, and 15 of this part, the minimum setback from a rear property line for an accessory building that is not more than 30 feet in height is five feet.
 13. Section 12 of this part does not apply to a through lot.
 14. An attached or detached garage that has vehicular access on an alley or street must be set back at least 20 feet from the alley or street.
 15. A non-complying accessory building may be reconstructed at its existing location, but may not be less than three feet from the rear and interior and street side property lines.
 16. An attached garage shall be a minimum of 60 feet from a property line facing Speedway.
 17. This section applies to a duplex or two-family residential use if there are at least five bathrooms in all buildings in which the use is located. An additional parking space is required for each new full bathroom constructed on the property.
 18. Driveway runners and gravel surfacing driveways are permitted. Design and construction must be approved by the Director of the Watershed Protection and Development Review Department.

19. This section applies to a restaurant use at 4300 Speedway that provides outdoor seating.
- a. The outdoor seating area does not count against the allowable square footage for a restaurant (limited) and restaurant (general) use established in Part 6, Subsection 2.g. of this ordinance and is not used to determine the parking requirement if:
 1. the outdoor seating does not exceed 40 percent of the total seating; and
 2. not more than 10 tables are located outside.
 - b. The outdoor seating area that exceeds 40 percent of the total seating area is counted as part of the allowable square footage for a restaurant (limited) and restaurant (general) use and shall be used to determine the parking requirement.

PART 10. DUVAL DISTRICT. The following provisions apply in the Duval District.

1. Site Development Standards Table. Except as otherwise modified in this part, the following site development regulations apply in the Duval District.

DUVAL DISTRICT		
	SITE DEVELOPMENT STANDARDS	
	SF-3 Zoning District	Multifamily & Commercial Zoning Districts
Minimum lot size	5750	8000
Minimum lot width	50	50
Maximum FAR		0.5 to 1
Maximum building coverage	40%	50%
Maximum impervious cover	50%	60% MF 80% commercial
Maximum height	30	30

Minimum interior side yard Setback	5	5
Minimum rear setback	10	10

2. Except as otherwise provided in this part, on Duval Street and Avenue H:
 - a. the minimum street yard setback is 25 feet; and
 - b. the maximum street yard setback is 30 feet.
3. This section applies to a street other than a street identified in Section 2 of this part. Except as otherwise provided in this part, the minimum street yard setback is 15 feet.
4. This section applies to the minimum street yard setback established in Subsection 2.a. of this part.
 - a. The minimum street yard setback may equal the average of the street yard setbacks of the principal buildings on the same side of the block that are 25 feet or less from the street property line. If more than one principal building is located on a property, then the setback of the building closest to the street property line is used in the calculation.
 - b. Notwithstanding any provision in this section, a setback may not be less than five feet.
5. This subsection applies to the street yard setback established in Section 3 of this part.
 - a. The street yard setback of the subject property may equal the average of the street yard setbacks of the buildings on adjoining lots if the setbacks are 15 feet or less. In this section, a building across an alley is a building on an adjoining lot. The street yard setback may be established by a principal building or an accessory building that contains a living unit on the ground floor that fronts on the street.
 - b. Notwithstanding any provision in this section, a setback may not be less than five feet.

6. A duplex or two-family use is permitted on a lot that is 5900 square feet or larger.
7. Except as provided in Section 8 of this part, a porch may extend:
 - a. on an avenue, a maximum of eight feet in front of the street yard setback; and
 - b. on a street other than an avenue, a maximum of five feet in front of a street yard setback.
8. A porch must be at least five feet from a property line that faces a street.
9. Except as otherwise provided in Sections 12 and 13 in this part, for an accessory building the minimum setback from:
 - a. a property line facing Duval Street or Avenue H is 60 feet;
 - b. a property line facing a street other than Duval Street and Avenue H is 15 feet; and
 - c. an interior side property line is five feet.
10. Except as otherwise provided in Section 11, 12, and 13 of this part, the minimum setback from a rear property line for an accessory building that is not more than 30 feet in height is five feet.
11. Section 10 of this part does not apply to a through lot.
12. An attached or detached garage that opens on an alley or street must be set back at least 20 feet from the alley or street.
13. A non-complying accessory building may be reconstructed at its existing location but may not be less than three feet from the rear and interior and street side property lines.
14. An attached garage:
 - a. shall be a minimum of 60 feet from a property line facing Duval Street or Avenue H; and
 - b. may not face Duval Street or Avenue H.

15. This section applies to a restaurant use that provides outdoor seating.
- a. The outdoor seating area is not used to determine the parking requirement if:
 1. the outdoor seating does not exceed 40 percent of the total seating; and
 2. not more than 10 tables are located outside.
 - b. The outdoor seating area that exceeds 40 percent of the total seating area shall be used to determine the parking requirement.

PART 11. WEST 38TH STREET DISTRICT. The following provisions apply in the West 38th Street District.

1. Site Development Standards Table. Except as otherwise modified in this part, the following site development regulations apply in the West 38th Street District.

WEST 38 TH STREET DISTRICT		
	SITE DEVELOPMENT STANDARDS	
	All Residential Zoning Districts	Commercial Zoning Districts
Minimum lot size	5750 SF residential 6000 two-family, duplex 8000 MF	5750
Minimum lot width	50	50
Maximum FAR	0.6 to 1 MF	0.6 to 1
Maximum building coverage	45% SF 55% MF	55%
Maximum impervious cover	50% SF 70% MF	70%
Maximum height	30	30

Minimum interior side yard Setback	5	5
Minimum rear setback	10	10

2. On 38th Street, 38th ½ Street, and Avenue B, the minimum street yard setback is 25 feet.
3. On 38th Street and 38th ½ Street, the maximum street yard setback is 50 feet.
4. On Avenue B, the maximum street yard setback is 30 feet.
5. In a neighborhood office (NO) district:
 - a. floor-to-area ratio is 0.35 to 1;
 - b. maximum impervious cover is 60%; and
 - c. maximum building coverage is 45%.
6. In a general office (GO) district:
 - a. maximum impervious coverage is 80%; and
 - b. maximum building coverage is 60%.
7. A parking area may be located at ground level under a building if the parking area is screened from the street.
8. A building may be 40 feet in height if the following is provided:
 - a. a screened ground level parking area below the building, and
 - b. a minimum of one tree at least every 12 feet the width of the landscape yard.
9. An attached or detached garage that has vehicular access on an alley shall be set back at least 20 feet from the alley.

PART 12. GUADALUPE DISTRICT. The following provisions apply in the Guadalupe District.

1. Site Development Standards Table. Except as otherwise modified in this part, the following site development regulations apply in the Guadalupe District.

GUADALUPE DISTRICT	
	SITE DEVELOPMENT STANDARDS ALL USES
Minimum lot size	4000
Minimum lot width	25
Maximum FAR	2 to 1
Maximum building coverage	95%
Maximum impervious cover	95%
Minimum interior side yard setback	0
Minimum rear setback	10

2. On Guadalupe Street:
 - a. the minimum street yard setback is 0 feet; and
 - b. the maximum street yard setback is 10 feet.
3. On a street other than Guadalupe Street, the minimum street yard setback is ten feet.

4. The maximum height:
 - a. on property north of 40th Street is 40 feet; and
 - b. on property south of 40th Street is 60 feet.
5. This section applies to property north of 40th Street. A building that is 30 feet or less from the rear property line may not exceed 30 feet in height. A parapet wall may exceed the height established in this part by 10 percent.
6. A sidewalk sign is permitted. Section 25-10-153 (*Sidewalk Sign in Downtown Sign District*) applies to a sidewalk sign. A projecting sign is permitted. Section 25-10-129 (*Downtown Sign District Regulations*) applies to a projecting sign.
7. This section applies to a restaurant use that provides outdoor seating.
 - a. The outdoor seating area is not used to determine the parking requirement if:
 1. the outdoor seating does not exceed 40 percent of the total seating; and
 2. not more than 10 tables are located outside.
 - b. The outdoor seating area that exceeds 40 percent of the total seating area shall be used to determine the parking requirement.
8. Chapter 25-2, Subchapter C, Article 10 (*Compatibility Standards*) of the City Code does not apply to the rear yard setback established in Section 1 of this part. Parking is permitted in the rear setback.

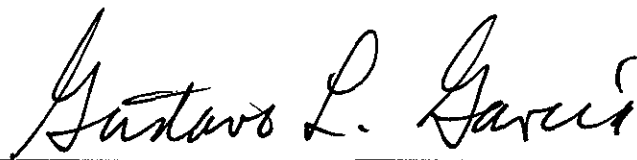
PART 13. The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 14. The Council finds that the ambiguity concerning the appropriate development regulations to be applied to the Hyde Park neighborhood combining district should finally be resolved in an expeditious manner because the issue has been debated too long, which constitutes an emergency. Because of this emergency, this ordinance takes effect immediately on the passage for the immediate preservation of the public peace, health and safety.

PASSED AND APPROVED

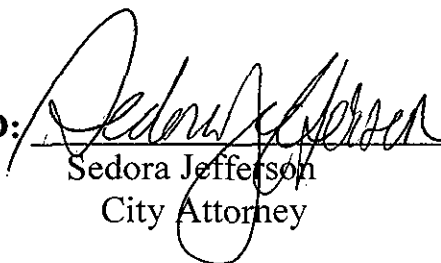
_____, January 31, 2002

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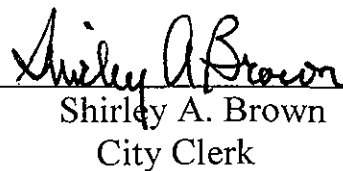


Gustavo L. Garcia
Mayor

APPROVED:


Sedora Jefferson
City Attorney

ATTEST:


Shirley A. Brown
City Clerk




B-12

52 of 94

AUSTIN STATE HOSPITAL
UNZ

AUSTIN STATE HOSPITAL
UNZ



SUBJECT TRACT 
PENDING CASE 
ZONING BOUNDARY 
CASE MGR: C.WILLIAMS

CASE #: C14-01-0046
ADDRESS: HYDE PARK NCCD
SUBJECT AREA (acres): N/A

ZONING EXHIBIT A
pg 1 of 2
DATE: 02-02
INTLS: TRC

CITY GRID
REFERENCE
NUMBER
J25,26 K25,2
6



EXHIBIT A - pg. 2 of 2

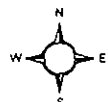


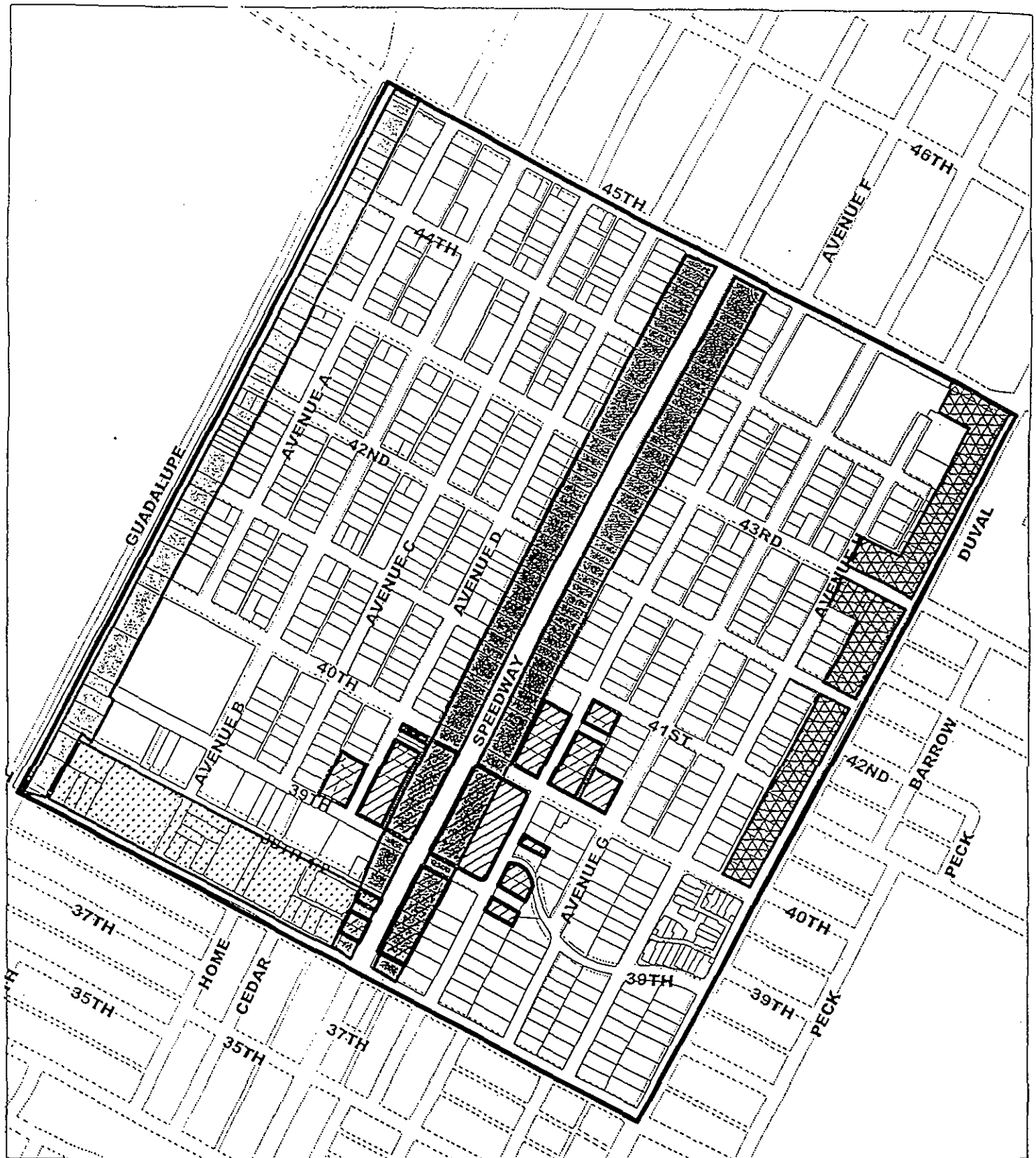
Proposed Hyde Park Neighborhood Conservation Combining District
Proposed Base District Zoning Changes

PC 30
Revised 8/1/201

See attached chart for zoning recommendations.

This map is intended to provide a visual representation of the proposed changes to the Hyde Park Neighborhood Conservation Combining District. It is not intended to be a legal document. For more information, please contact the City of Chicago Department of Planning and Economic Development.



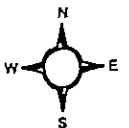


Hyde Park Neighborhood Plan
 Proposed Hyde Park Neighborhood Conservation Combining District
 Proposed Subdistricts of the Hyde Park NCCD

PEC30
 Printed April 2001

Proposed Hyde Park NCCD

- | | | |
|----------------------|--------------------|---|
| Residential District | Guadalupe District | Hyde Park Civic NCCD
(Hyde Park Baptist Church - Civic District) |
| Speedway District | Duval District | |
| W. 38th District | | |



This map has been produced by the City of Austin as a working map and is not warranted for any other use. No warranty is made by the City of Austin regarding the accuracy or completeness. Reproduction is not permitted without prior written permission from Planning, Environmental & Community Services Dept., City of Austin.

Case Number:
C14-2021-0183

PETITION

Date: 3/24/2022
Total Square Footage of Buffer: 247963.8035
Percentage of Square Footage Owned by Petitioners Within Buffer: 54.62%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Percent
0220060309	4312 SPEEDWAY 78751	4310 SPEEDWAY LLC	no	22168.25	0.00%
0220060311	4300 SPEEDWAY 78751	43RD SPEEDWAY LLC	no	43725.57	0.00%
0220060706	4311 SPEEDWAY AUSTIN 78751	BARR RONALD E	yes	9047.87	3.65%
0220060606	4213 SPEEDWAY AUSTIN 78751	BROWDER LESLIE B & TOMMY L GEORGE	yes	15473.55	6.24%
0220061105	4309 1/2 AVENUE F AUSTIN	BRUNS MICHAEL JAMES	no	734.36	0.00%
0220060701	4301 SPEEDWAY 78751	CITY OF AUSTIN	no	20702.17	0.00%
0220061102	200 E 43 ST 78751	CONNELL SHAWN HARRIE & ELEANOR	yes	4190.46	1.69%
0220060712	4302 AVENUE F AUSTIN 78751	DANIEL JOEL W	yes	8108.64	3.27%
0220060209	4214 SPEEDWAY AUSTIN 78751	HINDMAN HEATHER & ROBERT OPPENHEIM	yes	6118.91	2.47%
0220060710	4310 AVENUE F 78751	HOROWITZ MICHAEL J & BETSY J CLUBINE	yes	16049.34	6.47%
0220060711	4308 AVENUE F 78751	KAREN J SAADEH REVOCABLE TRUST & DAVID L MATTHIS REVOCABLE TRUST	yes	11977.35	4.83%
0220060607	4212 AVENUE F 78751	MAXSON PETER F & JOHN C R R TAYLOR III	yes	9341.41	3.77%
0220060705	4309 SPEEDWAY AUSTIN 78751	PRUNER TODD W	yes	9050.40	3.65%
0220060713	4300 AVENUE F AUSTIN 78751	VIGNERY KATHERINE A	yes	18369.65	7.41%
0220060709	4312 AVENUE F AUSTIN	WALKER SUZANNA WILLIS	yes	8076.51	3.26%
0220061104	4309 AVENUE F 78751	WARD STEVEN B	yes	2484.87	1.00%
0220061103	4307 AVENUE F 78751	WILLIAMS JOHN A & MICHELLE ROSSOMANDO	yes	2541.87	1.03%
0220060708	4314 AVENUE F AUSTIN 78751	WYCHE GEORGE G III	no	10533.28	0.00%
0220060707	4313 SPEEDWAY 78751	ZULLO DOUGLAS MICHAEL & MICHAEL MALONE NESTOR	yes	14597.76	5.89%
Total				233292.23	54.62%

AVENUE C

AVENUE D

W 45TH ST

W 44TH ST

E 45TH ST

W 43RD ST

AVENUE F

AVENUE G

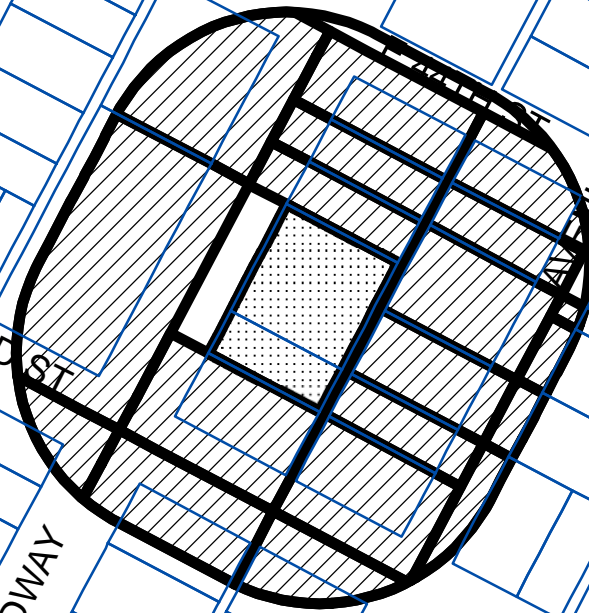
W 42ND ST

SPEEDWAY

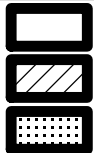
E 43RD ST

E 42ND ST

AVENUE H



N



BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

Case#: C14-2021-0183

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



1" = 200'

EXHIBIT F

PETITION

Date: 3/2/22

File Number: C14-2021-0183

Address of Rezoning Request: 4303 and 4307 Speedway

Case number
2021-188819

To: Austin City Council

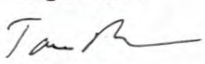
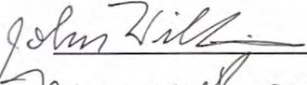
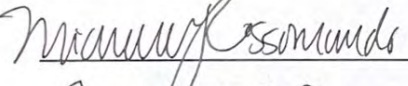
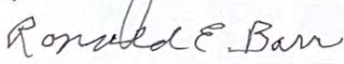
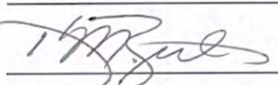
We, the undersigned, owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3 for 4303 Speedway and MF-3 for 4307 Speedway.

The requested zoning change is antithetical to Austin's housing goals. It takes properties that are zoned residential—an existing home with an ADU and a property zoned for at least 12 new residences—and turns them into neighborhood commercial / mixed-use (LR-MU). **LR-MU zoning allows but does not require housing.**

Further, the requested zoning change, in combination with the applicant's plans to redevelop the former post office building at 4300 Speedway, would create a significant commercial hub in the heart of the Speedway residential district. This is counter to the existing pattern of development, where commercial activity is around the perimeter of the Local Historic District.

We feel strongly that the Hyde Park neighborhood should help contribute to the city's goals for additional housing by creating more in-fill residential. 4303 and 4307 are already zoned to do this.

(Please use black ink. Please print and sign clearly.)

Signature	Printed Name	Address
	TODD PRUNER	4309 SPEEDWAY 78751
	John Williams	4307 Avenue F 78751
	MICHELLE PASSOMANDO	4307 AVENUE F 78751
	RONALD E. BARR	4311 SPEEDWAY 78751
	DOUGLAS MICHAEL ZULLO	4313 Speedway 78751

Date: 3/24/22 Contact: Mary Sullivan Phone Number: 512-560-8348

PETITION

Date: 3-5-22

File Number: C14-2021-0183

Address of Rezoning Request: 4303 and 4307 Speedway

case number
2021-188819

To: Austin City Council

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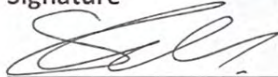
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(Please use black ink. Please print and sign clearly.)

Signature

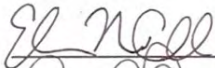
Printed Name

Address



Shawn Harrie Connell

200 E. 43rd St



Eleanor Noelle Connell

200 E. 43rd Street



Lea Noelle

200 E 43rd Street

Date: 3/24/22Contact: Maurry SullivanPhone Number 512-560-8348

PETITION

Date: March 2, 2022

File Number: C14-2021-0183

Address of Rezoning Request: 4303 and 4307 Speedway

Case number
2021-188819

To: Austin City Council

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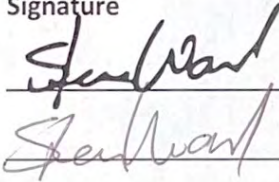
We feel strongly that the Hyde Park neighborhood should help contribute to the city's goals for additional housing by creating more in-fill residential. 4303 and 4307 are already zoned to do this.

(Please use black ink. Please print and sign clearly.)

Signature

Printed Name

Address



Steven Bryan Ward

4309 Avenue F, Austin TX, 78751

Date: 3/2/22 Contact: Mavry Sullivan Phone Number 512-560-8348

PETITION

Date: 3/2/2022

File Number: C14-2021-0183

Address of Rezoning Request: 4303 and 4307 Speedway

Case number
2021-188819

To: Austin City Council

We, the undersigned, owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3 for 4303 Speedway and MF-3 for 4307 Speedway.

The requested zoning change is antithetical to Austin's housing goals. It takes properties that are zoned residential—an existing home with an ADU and a property zoned for at least 12 new residences—and turns them into neighborhood commercial / mixed-use (LR-MU). **LR-MU zoning allows but does not require housing.**

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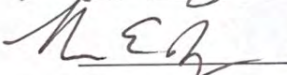
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(Please use black ink. Please print and sign clearly.)

Signature

Printed Name

Address

 Maria Juenger 4400 Avenue F, Austin, TX 78751
 Thomas Juenger 4400 Avenue F, Austin, TX 78751

Date: 3/2/22 Contact: Mary Sullivan Phone Number: 512-560-8348

PETITION

Date: 3-2-22

File Number: C14-2021-0183

Address of Rezoning Request: 4303 and 4307 Speedway

Case number

2021-188819

To: Austin City Council

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(Please use black ink. Please print and sign clearly.)

Signature

Printed Name

Address

<u>Tommy L. George</u>	Tommy L. George	4213 Speedway
<u>Leslie B. Browder</u>	Leslie B. Browder	Austin, TX 78751
		4213 Speedway
		Austin, TX 78751

Date: 3/24/22 Contact: Mary Sullivan Phone Number 512-560-8348

PETITION

Date: 3-4-22

File Number: C14-2021-0183

Address of Rezoning Request: 4303 and 4307 Speedway

Case number
2021-188819

To: Austin City Council

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(Please use black ink. Please print and sign clearly.)

Signature

Printed Name

Address



Erin Martinson

4311 Avenue F



Jason Martinson

4311 Avenue F

Date: 3/24/22Contact: Maurry SullivanPhone Number 512-560-8348

PETITION

Case ~~no~~ numberDate: 2 MARCH 2022

File Number: C14-2021-0183

Address of Rezoning Request: 4303 and 4307 Speedway

2021-188819

To: Austin City Council

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Signature

Printed Name

Address

John C. R. Taylor III

JOHN C. R. TAYLOR III

4212 Avenue F ^{AUSTIN, TX 78751}Peter Flagg Maxson

PETER FLAGG MAXSON

4212 Ave F ^{AUSTIN TX 78751}

Date: 3/21/22 Contact: Mary Sullivan Phone Number 512-560-8348

PETITION

Date: 3-2-22

File Number: C14-2021-0183

Address of Rezoning Request: 4303 and 4307 Speedway

Case number

2021-188819

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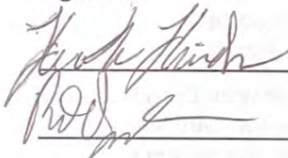
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Signature

Printed Name

Address



HEATHER HINDMAN - TTE Maroon Phoenix Trust - 4214 Speedway

ROBERT OPPENHEIM - TTE Maroon Phoenix Trust - 4214 Speedway

Date: 3/24/22

Contact:

Maury Sullivan

Phone Number

512-560-8348

The Maroon Phoenix Trust

Article One Establishing Our Trust

The date of this trust is October 29, 2021. The parties to this trust are Robert Matthew Oppenheim, also known as Rob Oppenheim, and Heather Hindman, also known as Heather Anne Hindman, (the *Trustmakers*) and Robert Matthew Oppenheim and Heather Hindman (collectively, our *Trustee*).

We intend to create a valid trust under the laws of Texas and under the laws of any state in which any trust created under this trust document is administered. The terms of this trust prevail over any provision of Texas law, except those provisions that are mandatory and may not be waived.

Section 1.01 Statement of Love and Affection

We trust that the formal terminology in this trust and the absence of direct personal messages will not cause any of you to doubt our love and affection for you.

Section 1.02 Identifying Our Trust

For convenience, our trust may be referred to as:

“The Maroon Phoenix Trust dated October 29, 2021.”

To the extent practicable, for the purpose of transferring property to our trust or identifying our trust in any beneficiary or pay-on-death designation, our trust should be identified as:

“Robert Matthew Oppenheim and Heather Hindman, Trustees of The Maroon Phoenix Trust dated October 29, 2021, and any amendments thereto.”

For all purposes concerning the identity of our trust or any property titled in or payable to our trust, any description referring to our trust will be effective if it reasonably identifies our trust and indicates that the trust property is held in a fiduciary capacity.

Section 1.03 Primary Beneficiary of Our Trust

While we are both alive, we are the primary beneficiaries of our trusts unless directed otherwise by subsequent terms of this Article. If only one of us is alive, the survivor will be the primary beneficiary of our trusts unless directed otherwise by subsequent terms of this Agreement.

Section 1.04 Reliance by Third Parties

The confidentiality of the terms and provisions of this trust agreement is very important; privacy is a primary purpose for the establishment of it. Consequently, we request that our Trustee use its utmost discretion in divulging any information about our trust and its assets unless it determines that disclosure is in our best interest or the best interest of other

PETITION

Date: 3/24/22

File Number: C14-2021-0183

Address of Rezoning Request: 4303 and 4307 Speedway

case number
2021-188819

To: Austin City Council

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(Please use black ink. Please print and sign clearly.)

Signature

Printed Name

Address

M. DanielMELISSA DANIEL 4302 AVENUE F, AUSTIN, TX 78751

Date: 3/24/22 Contact: Maurry Sullivan Phone Number: 512-560-8348

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GENERAL WARRANTY DEED

Date: June 28, 2021

Grantor: Joel Wesley Daniel a/k/a Joel W. Daniel

Grantee: Joel Wesley Daniel and Melissa Ann Daniel, a married couple

Grantee's Mailing Address:

4302 Avenue F
Austin TX 78751

Consideration:

Ten and No/100 Dollars (\$10.00), good and other valuable consideration, the receipt of which is hereby acknowledged.

Property (including any improvements):

Lots 20 and 21, in Block 15, of HYDE PARK ADDITION, a Subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 1, Page 67, of the Plat Records of Travis County, Texas.

Commonly known as 4302 Avenue F, Austin, TX 78751.

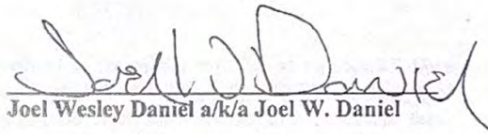
Reservations from Conveyance: None

Exceptions to Conveyance and Warranty: Subject to all easements, right-of-ways, mineral reservations and other matters of record.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

GRANTEE IS TAKING THE PROPERTY IN AN ARM'S-LENGTH AGREEMENT BETWEEN THE PARTIES. THE CONSIDERATION WAS BARGAINED ON THE BASIS OF AN "AS IS, WHERE IS" TRANSACTION AND REFLECTS THE AGREEMENT OF THE PARTIES THAT THERE ARE NO REPRESENTATIONS OR EXPRESS OR IMPLIED WARRANTIES, EXCEPT THE EXPRESS WARRANTY OF TITLE STATED ABOVE. GRANTEE HAS NOT RELIED ON ANY INFORMATION OTHER THAN GRANTEE'S INSPECTION.

When the context requires, singular nouns and pronouns include the plural.


Joel Wesley Daniel a/k/a Joel W. Daniel

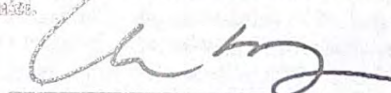
Date: June 28, 2021

STATE OF TEXAS

COUNTY OF Travis

The foregoing instrument was acknowledged before me, the undersigned notary, on the 28 day of June, 2021 by Joel Wesley Daniel a/k/a Joel W. Daniel.




Notary Public, State of Texas
Mark Beane
Printed Name of Notary
May 2023
My Commission Expires

AFTER RECORDING RETURN TO:

Joel Wesley Daniel and Melissa Ann Daniel

4302 Avenue F
Austin TX 78751

PETITION

Date: 2/28/2022
 File Number: C14-2021-0183
 Address of Rezoning Request: 4303 and 4307 Speedway

Case number
 2021-100019

To: Austin City Council

We, the undersigned, owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3 for 4303 Speedway and MF-3 for 4307 Speedway.

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(Please use black ink. Please print and sign clearly.)

Signature	Printed Name	Address
	LORRE MARIE WEIDLICH	4313 Avenue F
	Katherine A. Vignery	4300 Avenue F
	Don W. Brown	4213 Avenue F
	JOEL W. DANIEL	4302 Avenue F
	SUZANNA WALKER	4312 Avenue F
	DAVID L. MATTHIS REVOCABLE TRUST	4308 Avenue F
	KAREN J. SAADEH REVOCABLE TRUST	4308 Avenue F
	KAREN J. SAADEH TRUSTEE	4308 Avenue F

Date: 3/24/22 Contact: Maurry Sullivan Phone Number: 512-560-8348

**THIRD AMENDED AND RESTATED
DAVID L. MATTHIS
REVOCABLE TRUST AGREEMENT**

I am DAVID L. MATTHIS of Travis County, Texas. I hereby amend and restate in its entirety the David L. Matthis Revocable Trust Agreement dated May 11, 1998, the First Amended and Restated David L. Matthis Revocable Trust Agreement dated December 19, 2008, and the Second Amended and Restated David L. Matthis Revocable Trust Agreement dated November 22, 2010. I revocably transfer the sum of One Dollar to David L. Matthis, as Trustee. This property and all investments, reinvestments and additions shall be administered as provided in this instrument. This instrument, as from time to time amended, may be designated the "THIRD AMENDED AND RESTATED DAVID L. MATTHIS REVOCABLE TRUST AGREEMENT."

I am married to Karen J. Saadeh. I have two children named (i) Steven Saadeh Matthis, born May 25, 1987, and (ii) Michael Saadeh Matthis, born July 16, 1991. Every reference in this instrument to a "child" or "children" of mine is to them and all other children who may be born to or adopted by me in the future.

1. TRUSTEE APPOINTMENT

1.1. **Trustees.** I appoint the following, in the following order, as sole Trustee of every trust created under this instrument: (i) David L. Matthis, otherwise (ii) Karen J. Saadeh, otherwise (iii) my wife's brother, Richard A. Saadeh of Seattle, Washington, otherwise (iv) my friend, Don Moffitt of Durham, North Carolina, otherwise (v) my brother, Morris Matthis of Montgomery, Texas, otherwise (vi) my wife's sister, Laura Saadeh Vinther of Houston, Texas, otherwise (vii) Steven Saadeh Matthis, otherwise (viii) Michael Saadeh Matthis. However, at any time, each child of mine who has attained the age of at least thirty-five years may elect to become sole Trustee of his Child's Trust. If all of the above (and any successors) fail or cease to serve as Trustee of any trust and the resulting vacancy is not filled under the provisions of Section 8.1, the Trustee Appointer (designated in Section 8.1) shall appoint a Trustee of that trust in accordance with the provisions of Section 8.2.

1.2. **Special Instructions To Trustees Regarding Investments.** With respect to the investment of trust funds, it is my hope and preference that the Trustees continue to use South Texas Money Management, Ltd., otherwise use a Registered Investment Advisor (RIA) (i) that has at least Three Billion Dollars (\$3,000,000,000) in assets under management, (ii) with investment decisions made by individuals who hold the Chartered Financial Analyst (CFA) designation and who do not have any criminal charges and convictions, formal investigations and disciplinary actions initiated by regulators, customer disputes and arbitrations, and financial disclosures such as bankruptcies and unpaid judgments or liens, (iii) with at least three investment professionals (as described in (ii) above), in addition to relationship staff and administrative staff, and (iv) that has a Global Investment Performance Standard (GIPS) performance record of 10 years. Investment accounts shall be held in the name of the individual trust account and shall not be co-mingled with other funds.

I have signed this instrument this 3rd day of May, 2019.

David L. Matthis

DAVID L. MATTHIS, Grantor

The undersigned accepts the above trusts as of the day and year last written above.

David L. Matthis

DAVID L. MATTHIS, Trustee

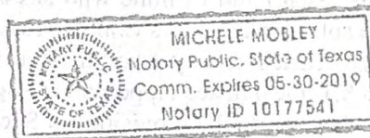
STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 3rd day of May, 2019, by David L. Matthis, as Grantor and Trustee.

Michele Mobley

Notary Public, State of Texas



**THIRD AMENDED AND RESTATED
KAREN J. SAADEH
REVOCABLE TRUST AGREEMENT**

I am KAREN J. SAADEH of Travis County, Texas. I hereby amend and restate in its entirety the Karen J. Saadeh Revocable Trust Agreement dated May 11, 1998, the First Amended and Restated Karen J. Saadeh Revocable Trust Agreement dated December 19, 2008, and the Second Amended and Restated Karen J. Saadeh Revocable Trust Agreement dated November 22, 2010. I revocably transfer the sum of One Dollar to Karen J. Saadeh, as Trustee. This property and all investments, reinvestments and additions shall be administered as provided in this instrument. This instrument, as from time to time amended, may be designated the "THIRD AMENDED AND RESTATED KAREN J. SAADEH REVOCABLE TRUST AGREEMENT."

I am married to David L. Matthis. I have two children named (i) Steven Saadeh Matthis, born May 25, 1987, and (ii) Michael Saadeh Matthis, born July 16, 1991. Every reference in this instrument to a "child" or "children" of mine is to them and all other children who may be born to or adopted by me in the future.

1. TRUSTEE APPOINTMENT

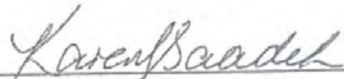
1.1. **Trustees.** I appoint the following, in the following order, as sole Trustee of every trust created under this instrument: (i) Karen J. Saadeh, otherwise, (ii) David L. Matthis, otherwise (iii) my brother, Richard A. Saadeh of Seattle, Washington, otherwise (iv) my friend, Don Moffitt of Durham, North Carolina, otherwise (v) my husband's brother, Morris Matthis of Montgomery, Texas, otherwise (vi) my sister, Laura Saadeh Vinther of Houston, Texas, otherwise (vii) Steven Saadeh Matthis, otherwise (viii) Michael Saadeh Matthis. However, at any time, each child of mine who has attained the age of at least thirty-five years may elect to become sole Trustee of his Child's Trust. If all of the above (and any successors fail or cease to serve as Trustee of any trust and the resulting vacancy is not filled under the provisions of Section 8.1, the Trustee Appointer (designated in Section 8.1) shall appoint a Trustee of that trust in accordance with the provisions of Section 8.2.

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I have signed this instrument this 3rd day of May, 2019.


KAREN J. SADEH, Grantor

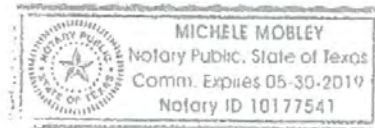
The undersigned accepts the above trusts as of the day and year last written above.


KAREN J. SADEH, Trustee

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 3rd day of May, 2019, by Karen J. Saadeh, as Grantor and Trustee.


Notary Public, State of Texas



PETITION

Date: 3/2/2022

File Number: C14-2021-0183

Address of Rezoning Request: 4303 and 4307 Speedway

CASE NUMBER

2021-188819

To: Austin City Council

We, the undersigned, owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3 for 4303 Speedway and MF-3 for 4307 Speedway.

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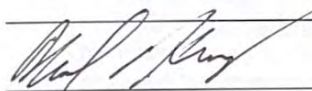
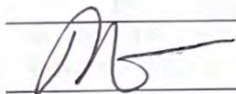
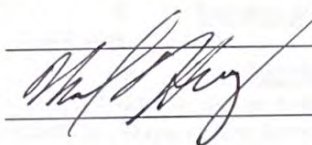
We feel strongly that the Hyde Park neighborhood should help contribute to the city's goals for additional housing by creating more in-fill residential. 4303 and 4307 are already zoned to do this.

(Please use black ink. Please print and sign clearly.)

Signature

Printed Name

Address

Betsy J Clubine, 4310 Avenue F, Austin,
Texas 78751Michael J Horowitz, 4310 Avenue F,
Austin, TXMH & BC Revocable Trust 4310 Avenue F
Betsy Clubine, trustee Austin, TX 78751MH & BC Revocable Trust 4310 Avenue F
Michael Horowitz Trustee Austin, Texas
78751Date: 3/2/22 Contact: Maury Sullivan Phone Number 512-560-8348

CERTIFICATE OF TRUST

I. **Trust Name.** The following trust (referred to herein as the "Trust") is the subject of this Certificate: "MH & BC FAMILY REVOCABLE TRUST." The full legal name of the Trust for purposes of transferring assets into the Trust, holding title of assets, and conducting business for and on behalf of the Trust, is known as: "MH & BC FAMILY REVOCABLE TRUST."

II. **Trustee.** The Trust is being managed by the following Co-Trustees (referred to herein as the "Trustee"): MICHAEL JOSEPH HOROWITZ and BETSY JEAN CLUBINE Co-Trustees with the mailing address of: 4310 AVENUE F, AUSTIN, TX 78751.

III. **Successor Trustees.** The following is a summary of the successor Trustee provisions found in the Trust: If MICHAEL JOSEPH HOROWITZ and BETSY JEAN CLUBINE die, fail to serve, become incapacitated, or otherwise cease to serve as Co-Trustees of the Trust, and the Grantors fail to appoint a successor Trustee, then MARTHA ANNE GSCHNEIDNER shall become Trustee of the Trust. If MARTHA ANNE GSCHNEIDNER dies, fails to serve, becomes incapacitated, or otherwise ceases to serve as Trustee of the Trust, then JEFFREY FREDERICK HOROWITZ shall become Trustee of the Trust. In the event a vacancy in the office of Trustee occurs and there is no successor trustee, the existing Trustee, if one, and the beneficiaries, or the beneficiaries, if there is no trustee, may agree to a non-judicial change in the trustee by amendment to this Trust agreement.

IV. **Independent Authority.** Each Trustee, or any of the successor Trustee, of the Trust shall have the continuing, absolute, discretionary power to deal with any property, real or personal, held in such Trust. Such power may be exercised independently and without the prior or subsequent approval or joinder of any other Trustee, court or judicial authority, and no person dealing with the Trustee shall be required to inquire into the propriety of any of the actions of the Trustee.

V. **Trust In Effect.** The Trust, which was executed on FEBRUARY 19, 2022, is currently in full force and effect. The Trust has not been revoked, and there have been no amendments limiting the powers of the Trustee over the property of the Trust.

VI. **Powers of Trustee.** The trust powers include all of the powers granted to a trustee by Texas Property Code, Title 9, Subchapter A, Chapter 113. Without limiting the generality of the foregoing, the Trustee is authorized to acquire, sell, convey, encumber, lease, borrow, manage, and otherwise deal with interests in real and personal property in the name of the Trust. All powers of the Trustee are fully set forth in the trust agreement which created the Trust.

VII. **Personal Nature of Trust.** The Trust provisions are not attached to this Certificate because they are of a personal nature and because they set forth the distribution of Trust property. They do not modify the powers of the Trustee. The signatory of this Certificate is currently the acting Trustee of the Trust and declares that the foregoing statements are true and correct, under penalty of perjury.

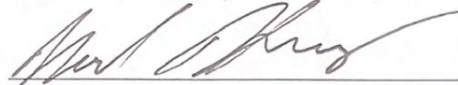
VIII. **Hold Harmless.** No person or entity paying money to or delivering property to any Trustee shall be required to see to its application. All persons relying on this Certificate of Trust regarding the Trustee and the Trustee's powers over the property of the Trust shall be held harmless for any resulting loss or liability from such reliance.

IX. **Third Party Reliance.** Any third party to whom this Certificate is presented may rely upon an affidavit by the then serving Trustee stating that such trustee is, in fact, the active Trustee for the Trust. No third party acting in reliance upon this Certificate or such affidavit shall be liable for any losses, damages, or claims caused by compliance with any action requested by the Trustee.

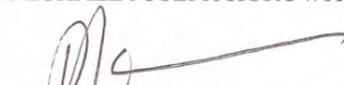
X. **Validity of Copies of This Certificate.** A copy of this Certificate of Trust shall be just as valid as the original.

XI. **Residential Homestead.** The Grantors, or any of the beneficiaries, shall have the right to use and occupy as the Grantors' or beneficiary's principal residence residential property rent free and without charge except for taxes and other costs and expenses for the lifetime of the occupant.

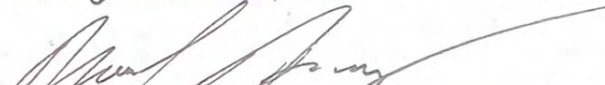
IN WITNESS WHEREOF, the Grantors and the Co-Trustees have hereunto set their hands on
FEBRUARY 19, 2022.



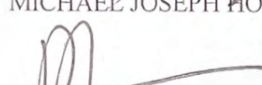
MICHAEL JOSEPH HOROWITZ, Grantor



BETSY JEAN CLUBINE, Grantor



MICHAEL JOSEPH HOROWITZ, Co-Trustee



BETSY JEAN CLUBINE, Co-Trustee

THE STATE OF TEXAS


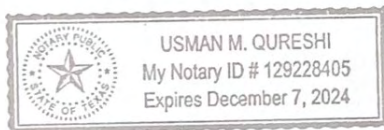
§

§

COUNTY OF TRAVIS

§

This instrument was acknowledged before me on FEBRUARY 19, 2022, by MICHAEL JOSEPH
HOROWITZ and BETSY JEAN CLUBINE.



Notary Public, State of Texas

The Hyde Park Neighborhood Plan Contact Team respectfully opposes the proposed rezoning to allow commercial development at 4303 and 4307 Speedway (Case Number 2021-188819). The tracts in question are currently zoned MF-3 (multifamily) and SF-3 (duplex and single-family), which is the zoning called for in our Neighborhood Plan and codified in the Hyde Park NCCD.

While the proposed LR-MU rezoning would still *allow* residential use it does not *require* it and the applicant's proposal is for a commercial project. The Contact Team believes that housing is a much greater priority at this time for our neighborhood and for Austin as a whole, and that a multifamily project is a more appropriate use for these centrally located lots near public transit.

During the CodeNEXT process, a majority of the Planning Commission and the City Council repeatedly expressed the need to create more housing in our neighborhood and in all parts of Austin. We believe the proposed rezoning is a step backwards from that goal, and we ask you to reject it on that basis.

However, should a majority of the City Council decide to support a rezoning to commercial use, we ask that the wishes of the immediate neighbors be respected with regard to uses, hours of operation, lighting, and other issues that may affect their daily quality of life. We further suggest that any agreed-upon limits or conditions that cannot be codified through zoning be contained in a restrictive covenant, ideally with the Hyde Park Neighborhood Association, which has been in continuous operation since 1974, so that the burden of enforcement does not fall on a small group of individual neighbors.

Approved by a vote the Hyde Park Neighborhood Plan Contact Team
February 9, 2022

The Hyde Park Neighborhood Plan Contact Team is established under Austin Land Development Code Section 25-1-805 and serves as designated steward of the area's city-approved Neighborhood Plan.

Hyde Park Neighborhood Association Resolution regarding Case Number 2021-188819

The Hyde Park Neighborhood Association (HPNA) passed the following resolution opposing rezoning of 4303 and 4307 Speedway at its General Membership Meeting on March 7, 2022 (Case Number 2021-188819).

The Hyde Park Neighborhood Association (HPNA) opposes the rezoning of 4303 Speedway, currently zoned SF-3, and 4307 Speedway, currently zoned MF-3, to LR-MU, as proposed by its owner, Blake Thompson (Case Number 2021-188819).

While the owner's proposed LR-MU rezoning allows for residential use, his proposal for the property is an entirely commercial development, including converting the house and ADU at 4303 Speedway to commercial property.

We believe these properties should remain residential for the following reasons:

- At this time, housing is a much greater priority for the city of Austin than commercial property. Members of both the Planning Commission and City Council have repeatedly cited the need for additional housing. Converting these lots to commercial property would not only fail to alleviate this need but would add to it by removing the two existing housing units at 4303 Speedway.
- This area is particularly appropriate for residential property because of its central location and the closeness of public transit.
- Residential zoning at these two addresses is recommended in the Hyde Park Neighborhood Plan and codified in the Hyde Park Neighborhood Conservation Combining District.

Therefore, HPNA strongly believes that these properties should remain residential.

From: Elaine Corral
To: [Sirwaitis, Sherri](#)
Cc: [Abimael Corral](#)
Subject: Opposition to Requested Zoning Change C14-2021-0183
Date: Wednesday, March 30, 2022 10:29:54 AM

*** External Email - Exercise Caution ***

Hi Sherri,

I am writing to you about Case Number: C14-2021-0183, 4303 and 4307 Speedway since you are the case manager.

Public Hearing: April 12, 2022, Planning Commission

My husband and I have owned and lived at our home at 204 E 43rd St since 1996. We are against the proposed zoning change.

We will be out of town the day of the Public Hearing so I have sent my comments to the City Council and with this email to you.

- The requested zoning change is antithetical to Austin's housing goals. It takes properties that are zoned residential—an existing home with an ADU and a property zoned for at least 12 new residences—and turns them into neighborhood commercial / mixed-use (LR-MU). **LR-MU zoning allows but does not require housing.**
- The requested zoning change, in combination with the applicant's plans to redevelop the former post office building at 4300 Speedway, would create a significant commercial hub in the heart of the Speedway residential district. This is counter to the existing pattern of development, where commercial activity is around the perimeter of the Local Historic District.
- We feel strongly that the Hyde Park neighborhood should help contribute to the city's goals for additional housing by creating more in-fill residential. 4303 and 4307 are already zoned to do this.

We chose to live here because of the walkability of Hyde Park and its variety of housing opportunities, public amenities, and commercial spaces. The neighborhood's existing commercial amenities are primarily on Duval and Guadalupe, with ready access to public transportation. The 10,000 sq ft Post

Office building will also be redeveloped as commercial, as allowed by current zoning; our hope is that more neighbors will get to live across the street and enjoy the new businesses coming in.

In my opinion, the highest and best use for these parcels is residential.

Please let me know if you have any questions. Thank you.

Kind regards,

Elaine and Abe Corral
(512)656-1336

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From: Matt Desloge
To: [Sirwaitis, Sherri](#)
Subject: C14-2021-0183
Date: Saturday, April 2, 2022 5:56:47 PM
Attachments: [IMG_0633.jpg](#)

*** External Email - Exercise Caution ***

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Case Number: C14-2021-0183
Contact: Sherri Sirwaitis, 512-974-3057
Public Hearing: April 12, 2022, Planning Commission

MATT DESLOGE
Your Name (please print)

☒ I am in favor
☐ I object

4300 AVE D
Your address(es) affected by this application (optional)

[Signature]
Signature

4/2/22
Date

Daytime Telephone (Optional): _____

Comments: _____

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department
Sherri Sirwaitis
P. O. Box 1088, Austin, TX 78767
Or email to:
sherri.sirwaitis@austintexas.gov

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Case Number: C14-2021-0183

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: April 12, 2022, Planning Commission

Suzanna Walker

Your Name (please print)

☐ I am in favor
☒ I object

4312 Avenue F Austin TX 78751

Your address(es) affected by this application (optional)

[Signature]

Signature

4/5/22

Date

Daytime Telephone (Optional):

Comments:

If you use this form to comment, it may be returned to:
 City of Austin, Housing & Planning Department

Sherri Sirwaitis

P. O. Box 1088, Austin, TX 78767

Or email to:

sherri.sirwaitis@austintexas.gov

From: Anne Hebert
To: [Sirwaitis, Sherri](#)
Subject: Case Number C14-2021-0183
Date: Tuesday, April 5, 2022 7:32:44 PM

*** External Email - Exercise Caution ***

Ms. Sirwaitis—As a 20+-year resident of Avenue D in Hyde Park, I am writing to express my concern about the requested zoning change for 4303 and 4307 Speedway (Case Number C14-2021-0183). This proposal to rezone the lots—an existing home with an ADU and a parking lot that could support at least 12 new residences—into neighborhood commercial / mixed-use (LR-MU) is antithetical to the city's goals to create more housing. We never hear that Austin needs more commercial properties, but we do hear constantly that Austin needs more housing. I feel that the lots should retain their residential zoning. Thank you.

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Case Number: C14-2021-0183

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: April 12, 2022, Planning Commission

Erin Martinson

Your Name (please print)

☐ I am in favor
☒ I object

4311 Avenue F, Austin 78751

Your address(es) affected by this application (optional)

Signature

4/5/22

Date

Daytime Telephone (Optional):

Comments: I am strongly opposed to rezoning the properties located @ 4303 & 4307 Speedway. Austin is in the midst of a housing crisis and we need more housing not more cafes and yoga studios. To rezone is irresponsible and not at all in the best interest of our community. Thank you, Erin

If you use this form to comment, it may be returned to:

City of Austin, Housing & Planning Department

Sherri Sirwaitis

P. O. Box 1088, Austin, TX 78767

Or email to:

sherri.sirwaitis@austintexas.gov

From: Marina Bollinger
To: [Sirwaitis, Sherri](#)
Subject: Neighbor Comment on Case C14-2021-0183 4303-4309 Speedway
Date: Wednesday, April 6, 2022 12:59:02 PM

*** External Email - Exercise Caution ***

Dear Sherri Sirwaitis,

Thank you for mailing us about the proposed changes to land use near us. My husband Steven Ward and I own and live at 4309 Avenue F, and we welcome the chance to participate in the decision on changing the zoning for 4303 and 4307 Speedway from the current residential zoning to allow for some commercial use. We have sent our comments to the online portal your letter provided but we are sending this email too to be sure our input is registered. We also plan to attend the meeting on April 12.

We wish to object to the proposed change to zoning detailed in case C14-2021-0183. As residents of Hyde Park for decades and owners of multiple residences in the neighborhood, we want land use to be reserved for people to live here, and not for more businesses. As such, we wish the 4303-4307 Speedway lots to retain their existing zoning. Our two main reasons for this objection are detailed below.

Housing Crisis: We have long followed the growing housing crisis in Austin, and the stunning market increase in housing in the last few years has made that problem so much worse. We would love more residential neighbors in Hyde Park, and to know that our neighborhood is helping to solve this issue for Austin. Diminishing the space for that solution by rezoning 4303-4307 Speedway for any commercial use at all runs counter to city planning policies to help people actually live in inner Austin and enjoy life in our lovely neighborhood.

Existing Commercial Hubs: We already have a wonderful commercial hub at Duval (and another at Guadalupe), and the old Post Office immediately across the road from the properties in question—just three blocks away from the extensive Duval hub—is becoming another multiple-business commercial hub soon. That is already a fairly dense commercial zoning distribution for the middle of one of Austin's oldest residential neighborhoods, and it is certainly more than sufficient. We have tried but we cannot find a coherent rationale for converting current residential lots into any commercial use at all in this area of Hyde Park. There is already quite enough to provide for walking-distance amenities—we should know, we have lived here for decades.

Because of its current residential HD-NCCD-NP zoning, we always knew the car park lot (4303) would become a set of homes at some point and looked forward to Hyde Park contributing to the residential housing solution for Austin whenever it was developed. We were dismayed to hear the new owner planned otherwise. We are also aware that they have expressed wishes to cater to neighbors by trying to mask any commercial aspect of their proposed development at 4303-4307 Speedway with mixed use, residential architecture, and quieter businesses. Yet these proposals, while well-meaning, completely miss our point here: we do not want *any* commercial development on those lots at all, not only because we do not require it in any way, but because we enjoy our residential neighborhood and want more people to be able to make their home here. We reject any change to the existing zoning of any

residential lots which would diminish that possibility, including 4303-4307 Speedway. We hope that families get to live there instead and enjoy everything we already enjoy, including our current excellent access to commercial hubs at Duval, Guadalupe, and soon at the old Post Office too.

I think it's fair to say that great cities of the world remain great in large part by seeking the active participation of their residents, and by the hard work of intelligent, dedicated public service professionals who know what it takes to help their publics thrive. Insofar as Austin and its public servants grant us a say in what happens to our built environment, we gratefully use that ability to state very clearly here that we strongly object to any change to the existing zoning of 4303-4307 Speedway, and we thank you for your work and your time.

Could you please send me a very quick response just to say that you have received and read this email? I have left a voicemail with you so we can be in touch to arrange for my online participation on April 12 at the meeting about this question. I look forward to being in touch.

Very Best,

Marina Bollinger & Steve Ward

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Case Number: C14-2021-0183

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: April 12, 2022, Planning Commission

Betsy Clubine

Your Name (please print)

☐ I am in favor
☒ I object

4310 Avenue F

Your address(es) affected by this application (optional)

[Signature]

Signature

4/6/22

Date

Daytime Telephone (Optional): 512-808-9666

Comments:

Properties should remain residential. 4303 is existing ADU & have. 4307 is Zoned multifamily. Both are walkable to existing & planned commercial.

If you use this form to comment, it may be returned to:
 City of Austin, Housing & Planning Department

Sherri Sirwaitis

P. O. Box 1088, Austin, TX 78767

Or email to:

sherri.sirwaitis@austintexas.gov

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Case Number: C14-2021-0183

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: April 12, 2022, Planning Commission

Todd Pruner

Your Name (please print)

☐ I am in favor
☒ I object

4309 Speedway

Your address(es) affected by this application (optional)

Tor

4/6/22

Signature

Date

Daytime Telephone (Optional): 512 560 8355

Comments: The city is in desperate need of housing. This is an opportunity to increase housing stock.

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department

Sherri Sirwaitis

P. O. Box 1088, Austin, TX 78767

Or email to:

sherri.sirwaitis@austintexas.gov

From: Joe Bedell
To: [Sirwaitis, Sherri](#)
Subject: 4303 and 4307 Speedway Proposed Zoning Change
Date: Wednesday, April 6, 2022 2:49:51 PM

*** External Email - Exercise Caution ***

Dear Ms. Sirwaitis,

I own a home at 4101 Avenue G. I have lived in Hyde Park for more than 40 years. I am an architect, registered in Texas and North Carolina. I have been an active member of the Hyde Park Contact Team for more than ten years.

I strongly oppose the proposed zoning changes for the properties listed above. Commercial development in the middle of a residential block is dissonant to the settlement patterns in this part of Austin. The Neighborhood Plan calls for residential use for these lots. The City has a need for more residential development. The zoning of these two properties should not be changed.

If you have questions or would like to know more about why my neighbors and I oppose this zoning change please contact me by email.

Thank you for your attention to this matter.

Sincerely,

W. C. (Joe) Bedell Jr

Joe Bedell
ARCHITEX
Austin, TX

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Case Number: C14-2021-0183

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: April 12, 2022, Planning Commission

Michael Horowitz

Your Name (please print)

4310 Avenue F, Austin TX 78757

Your address(es) affected by this application (optional)

[Signature]

Signature

☐ I am in favor
☒ I object

4/6/2022

Date

Daytime Telephone (Optional):

Comments:

I believe that Tract 1 and Tract 2 should remain SF-3-HD-NCCD-NP and MF-3-HD-NCCD-NP, respectively. The benefit of converting these properties to commercial zoning is marginal given the close proximity of several other commercial properties. Keeping them as is could provide much-needed housing in a way that minimally impacts our neighborhood.

If you use this form to comment, it may be returned to:

City of Austin, Housing & Planning Department

Sherri Sirwaitis

P. O. Box 1088, Austin, TX 78767

Or email to:

sherri.sirwaitis@austintexas.gov

From: Mary C Kahle
To: [Sirwaitis, Sherri](#)
Subject: Case #C14-2021-0183: Opposed to change from residential zoning (SF3 and MF3) to neighborhood commercial/mixed-use zoning (LR-MU)
Date: Thursday, April 7, 2022 9:46:49 AM

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I'm writing today to express my opposition to a zoning change for the properties at 4303 and 4307 Speedway. The proposed zoning change would not require that the property owner provide residential units at these locations, which goes against everything our city is trying to solve at this time. Currently Hyde Park is one of the most dense areas in the city, and providing more housing at the site is an ideal way make a dent in our housing crisis in a way that works seamlessly with the neighborhood. For these reasons, I'm very opposed to this proposed zoning change.

Thank you very much.

Mary Kahle
(512) 633-1810

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From: [Maury Sullivan](#)
To: [Rivera, Andrew](#); [Todd Pruner](#)
Subject: Letter for backup file for Case C14-2021-0183
Date: Thursday, April 7, 2022 1:52:48 PM

*** External Email - Exercise Caution ***

Dear Mr. Rivera,
Please accept this email letter in the backup file for Case C14-2021-0183.
Thank you.
Maury Sullivan and Todd Pruner

Dear Planning Commission,

As residents of 4309 Speedway, we are writing to you to bring your attention to an upcoming case that will be on your Tuesday agenda.

Case C14-2021-0183 involves a request to change the zoning of two lots (4303 and 4307 Speedway) from residential zoning (SF3 & MF3) to neighborhood commercial/mixed-use zoning (LR-MU). 4303 currently provides missing middle housing with an existing house and an ADU. 4307 is currently a surface parking lot; it is zoned MF-3 and could provide 12-13 additional housing units, which neighbors support. The applicant is requesting a change to LR-MU for a commercial project.

We ask you to deny the zoning change and retain existing MF-3 and SF-3 zoning on these sites for the following reasons:

- Given the city's housing crisis, it seems counterintuitive to remove residential zoning to create new commercial spaces. As you know, the 2017 strategic blueprint to address the housing crisis calls for 135,000 more housing units by the end of the decade.
- The existing zoning provides an opportunity to create more multifamily infill housing in a desirable neighborhood near public transit.
- We moved to Hyde Park 22 years ago because of the mix of housing types, access to public transportation, green spaces, walkability, and public and commercial amenities. The neighborhood already has two existing commercial hubs on Guadalupe and Duval and we support the new commercial development proposed for 4300 Speedway, the former post office site.
- While the applicant's proposed commercial designs are thoughtful, we feel the highest and best use for this land from a neighborhood and city perspective is residential given the housing crisis.
- We feel strongly that the Hyde Park neighborhood should help contribute to the city's goals for additional housing by creating more in-fill residential. 4307 is already zoned to do this.

We ask you to deny the zoning change and retain the existing MF-3 and SF-3 zoning on these sites.

Thank you for your service and please feel free to contact us with any questions.

Sincerely,
Maury Sullivan - 512-560-8348
and Todd Pruner - 512-560-8355

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